Manitoba Constitutional Task Force

February 1, 1991
Brandon, Manitoba

No. 2

Chairman: Professor Wally Fox-Decent

91-05025/

MANITOBA CONSTITUTIONAL TASK FORCE

Friday, February 1, 1991

TIME — 10 a.m.

LOCATION — Brandon, Manitoba

CHAIRMAN — Professor Wally Fox-Decent

Members of the Task Force present:

Mr. James Carr (Member for Crescentwood)

Ms. Jean Friesen (Member for Wolseley)

Mr. Oscar Lathlin (Member for The Pas)

Hon. James McCrae (Member for Brandon West)

Mrs. Shirley Render (Member for St. Vital)

* Substituting for Hon. Darren Praznik (Member for Lac du Bonnet), Mr. Bob Rose (Member for Turtle Mountain)

Support Staff for the Manitoba Constitutional Task Force:

Professor S. Gallagher, Research Director

Kathleen Mico, Research Officer

Terry Simmonds, Research Officer

Vic Toews, Legal Counsel

Witnesses:

Fred Dait, National Farmers Union, Manitoba Chapter

Rick Carter-Squire, Political Theory, Business Administration, Assiniboine Community College

Dagney Jordundson, Political Theory, Business Administration,

Assiniboine Community College

Cory Hillier, Political Theory, Business Administration, Assiniboine Community College

Eric Loder, Political Theory, Business Administration, Assiniboine Community College

Albert Hodson, Private Citizen

Cathy Thomassen and Mary Annis, Brandon Women's Study Group

Agnes Grant, Private Citizen

Terry Shillington, Private Citizen

Robert William Brockway, Private Citizen

Ross Martin, Brandon & District Labour Council

Gerald Whetter, Private Citizen

Ronald Simpson, Private Citizen

Ken Hanly, Private Citizen

Charles Turner, Private Citizen

Terri Deller, Private Citizen

Maude Lelong, Private Citizen

Edward G. Agnew, Reform Party

Shari Decter Hirst, Private Citizen

Walter Mentuck, Private Citizen

Dan Clark, Private Citizen

Betty Maxwell, Private Citizen

Marion Robinsong, Equality in Education Committee, Brandon Teachers' Association

Dennis Heeney, Private Citizen

George A. Martin, Private Citizen

Tony Riley, Private Citizen

Clarke Robson, Private Citizen

Beth Westfall, Private Citizen

Terry T. Drul, Private Citizen

Gwen Trip, Private Citizen

Matters Under Consideration:

Public Presentations—Manitoba Constitutional Task Force

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Mr. Chairman: Welcome to our first public hearing in Brandon of the Manitoba Constitutional Task Force. I hope that you understand why we are here. If you have had a chance to look at our pamphlet—and I hope everybody has a copy—if you perhaps have heard some of the media coverage of the run-up to our public hearings, you would know that the platform from which you may share with us your views is really quite broad. We are talking about the future of the country in essence and about Manitoba's place in that future.

* (1010)

Of course, there are specific issues that we would be delighted to hear you raise and share with us, such as the matter of rights, aboriginal rights, aboriginal self-government as an issue, other groups in Canada and their rights, the question of the powers of

Government—who should do what, province or central Government—the issue of amendment of the Constitution. There are, of course, a number of formulae which apply since 1982 and the Canada Act of that year, but we have not yet settled in the collective mind the question of how we should amend our Constitution. Senate reform, Senate abolition—we had some of our presenters yesterday talk about the option of simply dismissing the Senate and carrying on with one House in the Canadian Parliament. Others, of course, have given us some views on the reform of the Senate. Those are simply issues among the greater issue which is the future of the country.

I have some very fine people with me this morning in the form of my colleagues on the task force, and I would like to introduce them to you. I start on my right. The end of the table is Mrs. Shirley Render, who is the Conservative Member of the Legislature for St. Vital. On my immediate right, the Honourable Jim McCrae, Conservative Member of the Legislature for Brandon West and Minister of Justice, Minister of many other things, too, but I will leave it at the principal of his portfolios. We will be joined—there is a vacant chair at the end of the table, ladies and gentlemen—very soon by Mr. Oscar Lathlin, the New Democratic Member of the Legislature for The Pas. Moving to the other side, at the end of the table, Ms. Jean Friesen, who is the New Democratic Member of the Manitoba Legislature for Wolseley. Next to her is Mr. Bob Rose, the Conservative Member of the Legislature for Turtle Mountain. On my immediate left is Mr. Jim Carr, the Deputy Leader of the Liberal Party in Manitoba and Member of the Legislature for Crescentwood. I am Wally Fox-Decent.

So we are ready and anxious to hear from you. The first presenter on my list is the National Farmers Union, the Manitoba Chapter. I wonder if Mr. Fred Dait is here to present on behalf of that organization.

Good morning, sir.

Mr. Fred Dait (National Farmers Union, Manitoba Chapter): Thank you, Mr. Chairman.

Before I get into my presentation, I will explain briefly how this process of me representing the National Farmers Union came about. The person who was going to make the presentation, a former regional director, was called off to another duty. Last week he phoned me and gave me a few days notice. I phoned a few of the long-standing members, and developed sort of a concensus of opinion. This report has not been passed by the body of the Farmers Union. It is sort of a consensus of opinion that I was able to gather in the short period.

I would like to begin by saying that—

Mr. Chairman: It is not a written presentation, sir.

Mr. Dait: No, it is not. I could—

Mr. Chairman: That is fine, not a problem. Go ahead.

* (1015)

Mr. Dait: I would like to begin by saying that we owe a great gratitude to Elijah Harper and the Native people of Manitoba for providing us with this opportunity to engage in this democratic process in developing our Constitution.

I think it would be an enormous miscarriage of justice, in light of what has happened over the past year, if Native concerns of self-government were not included in this constitutional process.

There are other outstanding issues, like the issues of land claims. There are also the very pressing issues that have been coming through the media, the Oka crisis, the aboriginal aspirations in the territories. All these things have to be now included. If we do not include them now, what other format and what other time will we see fit to do it? I think it would be a disaster to ignore them.

We have to remind ourselves in this process the injustices that have been placed upon the Native people. The stories about the injustices of the residential school system are just starting to come to light.

We have to recognize that the system we have developed in Canada initially to control the Native people is the same pattern that the Government of South Africa adopted to control the Native people in the development of the homelands in South Africa. It is a very uncomfortable record. It would be a total injustice for us to ignore these concerns at this time.

The release of the Quebec Government's report in the past few days concerning their vision of a new Canada has created some problems in preparing for this meeting today, because it is difficult to say with any certainty—are these positions they outlined, are these the opening bargaining positions or are these positions that they intend to stand firm by?

We do not know the process that they envisioned when they released this report. Over a period of months these bargaining positions will become more refined. There will probably be some give and take. It is hard to determine at this time what is the best case

scenario and what is the worst case scenario under each one of these proposals that they have announced.

Also another issue that is hard to define at this time from the Quebec Government's proposal is: Would all provinces receive the same powers as the Province of Quebec is requesting? That is a very important question.

We have heard in other issues, in different forms, comments coming from the Premier of British Columbia and the Premier of Alberta that would suggest they would be interested in obtaining these powers, but it is virtually impossible to give a firm prediction as to which direction those discussions would take at this time.

One of the proposals that the Government of Quebec has made—I think I could comment on at least a limited basis—is that the Quebec Government would wish to gain complete control over agriculture. In our present system, provinces have extensive power to use local policy in developing agriculture.

Quebec then must be looking at accumulating the powers that the federal Government now has in regard to agriculture. Some of these powers are the licensing of pesticides and herbicides. We are in the process nationally of moving this licensing requirement over to the consumers' department, but it is a question that would have to be answered.

There is the issue of meat and food inspection. There is the issue of grain transportation, particularly in the West in the Grain Transportation Act. If the provinces are all going to gain the same powers, does Manitoba then have a transportation policy, Saskatchewan have a policy and so on?

There is the issue of farm credit that is administered through a federal agency. Would these federal agencies then pass their jurisdiction to the province of Manitoba?

There are the grading standards that we use in agricultural products that are national standards. Would each province then develop its own standards, or would the provinces again get together and renegotiate a national standard? They are all difficult questions.

There are issues like the interest-free cash advance that is provided to farmers from the federal Government. There are income stabilization programs. There is a national dairy policy. There is the issue of the future of supply management within Canada. I perhaps was a little bit encouraged in the last couple of days hearing the agricultural producers' association in Quebec say, although they favour a sovereign Quebec, they would like to retain the national supply management process. At least that is a bit of encouraging light there.

* (1020)

Other areas of the report give rise to the questions concerning provincial control of health care, education, communications and culture. Rather than try and deal with each of these issues specifically, I would maybe just try and outline a guideline that the National Farmers Union would be comfortable with for Canada.

We feel that Canada should have national standards in health care, education, and endeavour to create equality of economic opportunity within the various regions of Canada. We should endeavour to promote and develop the various cultures of Canada and communicate this culture and diversity across this nation with a strong national communication system. Many people may have a different view of what that communication system would be, but I think we have an ideal one with our CBC broadcasting system.

We would like the Charter of Rights to be supreme in the Constitution and the Constitution be worded to recognize this. We would like to see equality rights for women included within the Constitution.

We recognize that the only way national standards can be maintained is for the federal Government to have funding liabilities within these programs. As soon as the federal Government is removed from funding these programs, they no longer have any meaningful way of controlling how health care, education, et cetera, are implemented within the provinces. We would like our Constitution in some way to also guarantee Canadians their right to employment, housing and freedom from poverty.

We feel that the present amending formula, requiring the consent of seven provinces with 50 percent of the population, is a reasonable and workable amending formula.

We are deeply troubled by the alienation that seems to exist within large sections of the electorate in Manitoba and in other areas of Canada. This alienation is an inherent problem of our political system. A minority of the electorate can elect a majority Government, a Government that lacks majority support. Many have suggested that a Triple-E Senate could solve these problems. We disagree for some of the following reasons: If Senate

elections were held in conjunction with federal elections, it would be reasonable to expect that the same outcome would result; the same majorities would prevail in the House of Commons and in the Senate. Both of these majorities conceivably could be achieved by a minority of the electorate, prolonging the feeling of alienation within the majority of the electorate.

Also, we are concerned that if the electorate lacked the confidence in their ability to elect qualified people to the House of Commons, why would we have confidence in our ability to elect competent people to a Senate? There is a possibility of staging Senate elections at midterm between federal elections. This could cause some very severe constitutional crises. You could have a situation where we elected in our wisdom a majority Government of one stripe and two years later elected an alternate majority to the Senate. Both are elected, both have support from the electorate; which one has priority?

* (1025)

Also, and this is my own obs- ..on, many of the people who have called for an elected Senate have supported a variety of political Parties without recognizing the philosophy of those Parties and how that philosophy would be applied in legislation. Then, when they feel that they have become a victim of that philosophy, they reject the system rather than taking a greater care in understanding the philosophy that they are supporting during the electoral process.

We would suggest that much of the alienation found in the electorate today could be dealt with by implementing a system of proportional representation into our electoral system. The adoption of this system would at least ensure that on any legislation, a majority support would be required. This majority support would also require the support of a majority of the electorate. We realize also that there are some major problems in implementing a proportional representation system, but we also have to recognize we have a major problem of public alienation with our present political system.

We have another major concern with our political process. In a democracy, we assume that the electorate will digest information and policy from a wide spectrum of political Parties and, in their wisdom, each individual voter will determine what Party's philosophy and policy best suits his or her needs and vision of this country, and we encourage the participation of lobby groups within our democratic electoral process. In fact, the National Farmers Union, of which I have been a member, has traditionally been involved during times of election, making statements as to policies we think are relevant to the agricultural community, and we believe this should be encouraged.

We are also concerned about the power that some lobby groups have recently been able to demonstrate. In the past, it is difficult to argue that any lobby group has had any significant impact on the overall outcome of a provincial or federal election. They have had impact on a constituency basis on some local issues, but never on a national scale.

However, in the 1988 federal election spending outside the rules of Canada's Election Act had a profound effect on the outcome of that election. Those of you who are involved in the political process know how careful you have to be in determining your spending and your contributions and how well it all has to be recorded and turned in to Manitoba's Chief Electoral Officer for review.

In 1988 we had at least $19 million spent outside of the rules governing elections in Canada, and there were some stunning examples of the power that some corporations were able to utilize in that election. I just checked a few statistics last night. Three large contributors, Alcan, the Royal Bank and Noranda, each contributed $400,000 to a campaign outside the rules of our electoral Act. There were many other instances.

I picked up a quote out of some literature: It is an ominous threat to our system of democracy that those with limitless resources had such a profound impact on the outcome of the 1988 election. After the election was all over, Allan Gregg of Decima Research, a well-known pollster in Canada, made some statements about the outcome of the election, and it was in a boastful sense that he made it. He talked about the ability to manipulate the electorate, and he showed contempt for democracy when he referred to the Canadian electorate and to you and me as the urban stupid and the open-minded confused.

Democracy is not for sale. It is a very precious commodity and it is very fragile, and it is essential that the control of democracy stays within the hands of the majority of the people in our country. To do otherwise leads to alienation and contempt for the very process that we have come to hold so dear and cherish so much.

At the present time, I would like to point out to this

panel that the federal Government has a royal commission looking into our electoral process. They have not released any reports yet that I have seen, but I would suggest to you that there may be some merit in your panel reviewing the workings and the findings of that commission if time allows before you give your final report to the Government.

I have been involved in the political process and been active in it I guess all my adult life, and there is not anything that—I have been part of victories and part of defeats, but I have always cherished the system and thought it was a great privilege to be able to take part in it. When I read the contempt that people in positions of power have for us and our system, it shocks me deeply.

I would like in closing to thank the panel and particularly the Native people of Manitoba for allowing us to have this process. I would be willing to try and expand on any of the points I have made or try to answer any questions that may arise in your mind. Thank you.

Mr. Chairman: Thank you, sir. Questions from the task force? Thanks again.

Just before I call the next presenters, ladies and gentleman, the pamphlet indicates, but I would just highlight if I may, the time limit on speeches or presentations is 20 minutes. You will get a single bell ring after 15 minutes and a double bell ring after 20, and then there will be time after each presentation for questions from the task force, if Members so desire.

* (1030)

Our next presenter is the Assiniboine Community College. I believe it is to be a joint presentation. I would ask the presenters if they would come forward now, please.

Am I right in saying that the presenters are Rick Carter-Squire and Dagney Jordundson?

Mr. Rick Carter-Squire (Assiniboine Community College): Yes.

Mr. Chairman: Good. The other two are supporting members.

Mr. Carter-Squire: Yes.

Mr. Chairman: Good. You are most welcome.

Mr. Carter-Squire: Thank you.

Mr. Chairman: Is there a written presentation?

Mr. Carter-Squire: Yes. We will be sending a written copy of our statement later.

Mr. Chairman: That would be excellent. Thank you.

Mr. Carter-Squire: As students studying business administration here at ACC, we are very concerned and interested about the Government process in this country and how it will affect our future. Ten days ago, our political theory class decided to prepare a submission to this task force. Our group of four people is very interested in all the areas that this committee is addressing. Our members are, to my far left, Eric; next to me is Dagney; I am Rick; and this is Cory.

Due to time constraints, we are only able to present our views and thoughts on Senate reform. Do we need a Senate? It would appear from all the information gathered in the short time we have had to prepare for this presentation that most people who have addressed this issue believe we do need changes. Our presentation will try to address the need for Senate reform, the different ways to reform the Senate, the role of that future Senate and also recognize the problems associated with our proposals.

The Senate must be reformed in order to strengthen its role in representing people from all regions of Canada and to enhance the authority of Parliament to speak and act on behalf of Canadians in all parts of the country. The focus of Senate reform must also be on reducing patronage appointments, maintaining or increasing its legislative review function, reducing the Party affiliations in the Senate and increasing the accountability of Government through the Senate to the people.

Spending estimates tabled in Ottawa on January 24 of this year said that the 1990-91 cost of running the Senate is $40 million, while the estimated costs for the 1991-92 year will be nearly $46 million. As in all things, people expect to get something for their money, something that is worthwhile. A senator lives a good life and is rewarded well, both monetarily and in benefits. To ensure that Canadians are getting what we are paying for, the Senate must be reformed and senators held accountable in some manner for their action, attendance and their stands on crucial legislation. In a reformed Senate, the senator's first thought should be for the people of the area he or she represents, not Party affiliation.

There are many ways of reforming the Senate. Some people at other hearings such as this have advocated abolishing the Senate. We could certainly do that and save millions of dollars every year, but where would be the balance in our system of Government? No system of democratic Government relies solely on one level of control. Others have suggested a different method of appointment. This

could consist of people suggested by the provinces and appointed by the Prime Minister in the usual fashion. Although this might give a greater regional representation, the senators may be more concerned with provincial problems than what is good for the country.

The special joint committee on Senate reform recommends the Senate of Canada should be elected by the people of Canada. They say that an appointed Senate no longer meets the needs of the Canadian federation. Based on our limited time and resources, we have generally agreed with that committee. We feel that people running for Senate in an election would or could be drawn from a broad group of people with backgrounds as educators, journalists, farmers, et cetera. By drawing on a variety of occupational backgrounds, the so-called common person in this country might feel that their concerns are being represented.

Only through direct elections would the Senate gain substantial political authority. The authority must represent and reflect the population of Canada. There must be some reflection of the diversity of Canada, with men, women and aboriginal people and other minority groups being represented as equally as possible.

There is a great need for accountability to the people. By having senators elected for a certain length of time and, most importantly, with as little Party affiliation as possible, then they would be able to vote the way the people they represent want them to vote. Political affiliation and running on Party ideology should not be part of an elected Senate.

* (1035)

Under the present system of patronage appointments, former Cabinet Ministers, corporate executives and friends of the Party become senators. Under the present system, senators are almost sure to be accountable to the Party Leader. In an election situation, as you people know, you do not win by patronage.

There should be a more regional balance to the Senate. This keeps central Canada from dominating the policies governing this country. It would also enhance the checks and balances of the power of the Senate by providing an overall view of the country's needs against those of central Canada.

The role of the future Senate would be an expanded and more powerful one than present. This should not in any way lead to any equality of power that causes deadlocks but, rather, a renewed and greater role in reviewing legislation and conducting investigative studies.

The Senate should have the power to review and disallow international treaties, senior appointments to regulatory bodies and subordinate legislation. This would allow an elected Senate an opportunity to exercise the views of the people they represent in international and internal situations.

Other areas of change for an elected Senate that we agree with would be: senators should be elected for a non-renewable, six- to nine-year term by a plurality vote in single-member constituencies; triennial elections, separate from Commons elections; a suspensive veto of 120 sitting days over most Bills; legislation of linguistic significance requires a double majority vote, which is a majority of Francophone senators plus a majority of all senators.

The mechanism for the suspensive veto would work as follows: Bills passed by the Commons would be transmitted without delay to the Senate. Within 60 sitting days following the transmission, the Senate would make a final decision on adopting, rejecting or passing it with amendments. If the Bill is not decided on within 60 days, the Bill could be presented directly to the Governor General for Royal Assent. If the Bill is adopted by the House and rejected by the Senate, the Bill must wait 60 sitting days and then be re-passed by the House. Then it would go to the Governor General.

If the Senate makes amendments, the Bill must be sent back to the House for acceptance or rejection. If it is accepted, it goes to the Governor General. If it is rejected, the Bill would go to the Governor General after 60 sitting days. Only days when either House is sitting would be counted in the 60-sitting-day period.

This system would effectively speed up the present process by reducing deadlocks such as the recent GST debates. It would also make legislation more representative of the concerns of the people, because both Houses would be forced to make concessions which would give the people of Canada legislation they could live with.

Changes to the internal organization of the Senate would also include having the Speaker of the Senate elected by the senators. The leaders of the political committees and groups in the Senate should be elected by the senators also. This would further reduce Party bias. Conflict-of-interest guidelines would have to be written or strengthened to ensure

the same confidentiality that is enforced on M.P.s. The single term election should give senators freedom from Party influences, enabling them to speak out as regional representatives.

The timing of elections, the electoral system and the legal provisions of an elected Senate must be left to others more informed than us.

Constituency boundaries, however, should be set on natural, identifiable boundaries or communities as well as population. These boundaries should also represent the importance of geographic, linguistic and cultural factors. Environmental factors should also play a large role in determining boundaries. Northern communities, for example, do not have the population of southern areas, but they do represent a vast and fragile land that needs as much protection as the people. Defining the boundaries depends on how these factors are considered.

* (1040)

An elected Senate might go a long way to uniting this country as it has never been united before. Quebec would finally see its views represented as equally as those of the rest of the country. A reformed and elected Senate's power and duties should lead to a more balanced system of government. The argument for abolition and other methods of reform only look at immediate solutions to the problems of Senate and Government. An elected Senate, on the other hand, deals with the long-term changes that need to be addressed. There are some problems with an elected Senate that need to be addressed before the people of Canada would truly accept it. These are:

Partisanship. The first time an election is held for the Senate, people would be suspicious of the Party affiliation of the candidates. We feel that this problem is one that is not easy to solve but hopefully will resolve itself over time provided an elected Senate lives up to the people's expectations.

Provincial concerns. Because of the regional nature of the representation in an elected Senate, we think the provincial Governments may have a greater influence over the decisions made by the senators from their provinces, creating more deadlocks over provincial concerns. Although this could be seen as a typical lobbying situation, provincial Premiers, for example, carry more weight than a lobby group.

Election costs. Will the costs of an elected Senate be passed on to the people of Canada? The answer to this question is crucial to the initial success of an elected Senate, because people will accept Senate reform quicker and easier if their taxes do not increase to pay for an extra election.

A related expense is the increased accountability of the senators in the form of regional Senate offices if they do not already exist, travel expenses to the constituencies and all the other expenses of running a regional office. These expenses must be weighed against the benefits of an elected Senate.

The last and probably biggest problem of an elected Senate is apathy. In a recent Maclean's magazine Decima poll, Senate reform was not even mentioned by the respondents as being a priority, but the 1,500 people interviewed across the country did have some interesting things to say about public input into Government and their feelings toward Government. Sixty one percent of those people surveyed said the Government has become less effective in responding to the people's needs. A further 77 percent want more public input into Government legislation. Lastly, 89 percent of those people surveyed want politicians to vote by their conscience or by public will.

These numbers say a great deal about the public perception of the Government's ability, confidence and accountability. This strong negative view of Government is very likely the biggest cause of apathy. How this negative perception can be overcome is beyond our ability, but we feel that this is a crucial area that will have to be addressed before Senate reform or any other major changes to Government could be successful.

An elected Senate is foreign to this country. However, changes have to be made and progress means that some changes need to be drastic. The system used in Australia, the U.S. and other countries that use an elected Senate might be studied to give us a combination system that would be unique and workable for us.

For the conclusion, I would like to give it over to Dagney.

Ms. Dagney Jordundson (Assiniboine Community College): In conclusion, the majority of our group agree that an elected Senate would be more effective and is definitely cause for further consideration. An ideal system for Senate reform would be to have an election according to the boundaries suggested, with candidates running not according to Party affiliation. These elected senators would be representing the independent views that would reflect the majority of the people, as opposed to a specific Party line. We also feel that they would

be less subject to influence from lobby groups.

As Rick has outlined, we feel that a reformed Senate could address a number of problems such as stacking of the Senate, irregular attendance and unreasonable delay of specific legislation. The terms such as we have outlined would demand senators to be directly responsive to issues and policies that concern the electorate. We look forward to fresh senators with new ideas, enthusiasm and supportive attitudes.

We want to eliminate figureheads whom we feel in some cases are not productive or responsive to regional concerns. A goal of Senate reform is to eliminate some of the past chaos so recently witnessed. We feel that with our suggested reforms that there would be incentive for senators to follow the wishes of the people with a more balanced representation of urban and rural senators who are not elected based only on population boundaries. The system will be enhanced.

The benefits of an elected Senate for Manitoba's smaller population would be greater recognition of Manitoba's specific problems and needs such as cultural, linguistic and aboriginal rights. A regionally elected Senate would have a greater input on federal decisions that impact on provincial issues. Hopefully, this improved Senate will reflect what our forefathers intended by having an independent second level of Government that will play a vital role in our democratic process.

I would like to take this time to thank the Members of the panel for giving us this opportunity to participate in what we hope will be an improved Canada.

Mr. Chairman: Thank you very much to both presenters. Now questions from the panel, Mr. McCrae, Mr. Carr and Mrs. Render so far, starting with Mr. McCrae.

Hon. James McCrae (Member for Brandon West): Mr. Chairman, my question will amount really only to ask for a clarification, but I have to say this is a very special presentation, in my view. With all of the confusion and chaos going on in the world and the uncertainty even in our own country with respect to our future, I have been wanting to hear something of substance with respect to Senate reform, and I believe we have heard that from you this morning. I appreciate the work that obviously had to be done by you to bring this presentation together. I know it is going to be very helpful to us as we do our work.

I just have one question that comes to my mind, and maybe you answered it in your presentation. I would just like you to go over it again if you could, and that is your deadlock-breaking mechanism. I take it that when you are talking about something rejected by the Senate going back to the House, that means the House has to look at the matter twice. Then it goes to the Governor-General. It does not go back to the Senate again. Is that what you were saying?

Mr. Carter-Squire: Well, no. If it went to the Senate and the Senate rejected it, then it would basically sit for 60 days and then it would be passed into law by the Governor-General.

Mr. McCrae: So that a Senate rejection simply holds it for 60 days and then it becomes law anyway?

Mr. Carter-Squire: Okay, but it works the opposite way as well. If the Senate made amendments, then it would have to go back to the House. If the House rejected those amendments, then the amended Bill would then become law as well.

Mr. McCrae: Thank you.

Mr. James Carr (Member for Crescentwood): I too would like to thank you for your thoughtful presentation that obviously took a lot of time in preparing. I have one question that relates directly to the presentation and one that relates to it indirectly.

You talk throughout your presentation of the importance that the Senate be accountable and represent the people who elect them, yet you think that the senators ought only to serve one term. If a senator is elected for only one term and knows that he or she does not have to face the electorate again, how do you think they can be made accountable?

Mr. Cory Hillier (Assiniboine Community College): What we were basically trying to say there was that one of the ideas we looked at had a nine-year term for senator. That would be split into three electorate periods whereas there would be an election for senators. One-third of the Senate would be elected every three years.

In essence, you could be running for the Senate three times, because you could be in three times in a row. You are accountable three times. Once you are in, that does not mean you are just in until the end of the period and you do not have to run again. One-third of the Senate will be elected every three years which was one idea we looked at.

Mr. Carr: Is it that a portion of the Senate is elected every three years, or are you saying that each senator is up for—

* (1050)

Mr. Hillier: Not each senator, a portion of.

Mr. Carr: How is each senator made accountable to the people who represent them if they only serve one term?

Mr. Hillier: Okay, the one-term idea was not that idea we had. The one-term idea was one we were just presenting to you as an idea. There are many different ideas they have for terms and for elections, and we were just basically trying to throw a few at you. It is not up to us to make the decision which one to choose, that is for sure. We just do not want the system that we have now where someone is appointed and no matter what happens they are there until the end, because it is definitely not effective.

If the people do not want them there, and they are just following along with the leader of the Party, they are not representing our views. We are not saying we know how to do it, and we are not saying that everyone should know how to do it right now. We are just hoping to throw some ideas into the system, and hopefully someone with a little bit more knowledge than us will be able to make a decision on it.

Mr. Carr: My second question is more general. As I am sure you know, the Liberal Party of Quebec has recently released a report. It talks about a new kind of Canada and a new kind of relationship between Quebec and Canada.

I am very interested to know the view of young people in Brandon about what the Quebec Liberal Party has said. What is your vision of the new Canada? Do you see all provinces in this country as equal in their relationship to Ottawa? How would the sovereignty of Quebec affect you? What are your emotional links to the people of Quebec? What kind of Canada do you want to build and what is your advice to us as we help guide the Manitoba position? You have a minute and a half.

Mr. Hillier: That is a hard question because everybody has their own view of how they think Canada should be, and I can only speak for myself.

Mr. Carr: We are interested in yours.

Mr. Hillier: Okay. I can only speak for myself, but I am saying that I see Canada as many different groups of people who should get along. I do not see, just because we are not getting along with Quebec right now, that we should cut off all relations with them and they should go off on their own. When I see Canada 20 years from now, I see Quebec is still with us and I see problems solved. I do not think one province should have any more powers than the other provinces. Everybody should be equal and everybody should all do their part and nobody should be treated specially. That is my view.

Mr. Carter-Squire: Well, I think generally what Cory said is likely the same opinion or variations of that same opinion. The people in this country just have to get together somehow, some way and work out these differences. There have to be compromises on both sides. I think this latest statement by the Government of Quebec is really stonewalling those kinds of concessions that the rest of Canada can make, because when you say, well, this is our final decision, this is what we will accept and nothing less, really that leaves the rest of Canada in a situation that says, well, fine, then you are not going to get it.

Ms. Jordundson: I generally agree with Cory that I feel that Canada should be united and soon, I hope, and that no one should get special treatment and that we should all be treated equal.

Mrs. Shirley Render (Member for St. Vital): I would just like to echo what Mr. McCrae and Mr. Carr said. It is refreshing to hear from a group that does not take this opportunity simply to criticize. You have evidently taken a lot of time to come up with some very constructive comments. One of my questions was the same as Mr. Carr's. I wondered how senators could be accountable if they were there for one term, but I will let that one go by, because you have answered that to the best of your ability.

My other question was, you mentioned that you felt that senators should come from a variety of backgrounds. I wonder if you could define just a little more explicitly how we are going to get these people to come forward if it is not on Party lines.

Mr. Eric Loder (Assiniboine Community College): We have not done enough research into—

Mrs. Render: We need you back again.

Mr. Loder: We would like to draw from people who show an interest in politics and want to represent the people's views and the people's views only and not a Party affiliation view. I am sure there are lots of independents that run now who have those viewpoints and there are lots more people out there who are willing to take up such a task.

Mrs. Render: Thank you. That is all, Mr. Chairman.

Mr. Oscar Lathlin (Member for The Pas): Good morning, everybody. I apologize first of all for being late for the hearing.

I would also like to tell the group here I am quite impressed with your presentation. At the same time, I am not surprised that you are presenting that kind of a visionary type of a presentation. It is coming from youth. I do not think we have—we just have not listened to each other as much as we should have. I have been to at least three First Ministers' Conferences myself when I was chief of my band. I too used to feel that nobody cares, nobody listens, no matter how many briefs I give. They will all be forgotten as soon as they get back on the plane, that kind of attitude. Since then, I have started to have a different attitude myself. Aboriginal people are probably the most patient people you can ever find anywhere, because we are still here in spite of what aboriginal people have had to go through.

I would just like to say that we have not listened to the youth as much as we should have, yet our future is in the youth. I know, when I was in my younger years, I used to feel that the governing of this country is up to the adults, I am just here to have a good time, and besides, if I say something, nobody will listen anyway. I just thought I would like to make those statements.

I want to go back to the Senate and also want to mention the fact that, as you probably know, the position that aboriginal people have long held is that we had our own forms of Government before non-aboriginal people came here, and one of those forms of Government we had was our elders. Aboriginal people used elders in just about every facet of life in the community. Whether it was bringing children up, whether it was in the area of education and in governing the community, elders were very powerful in the community.

I often look at the Senate in trying to make the analogy, but I do not see any similarities, because on the aboriginal side, of course, there were no Party affiliations. There were clan systems, family systems, and so on, but according to what I have been able to study, it seems to have worked, although again, I would like to say that is slowly dying out as well. Like many, many of our things, they are dying out, the usage of or the respect for elders seems to be going away, although perhaps it is coming back again.

Now back to the Senate, when we look at the municipal Government which derives its authority from the provincial Government and then at the federal Government, the federal Government being the senior government, we do not have a similar system at the municipal level, we do not have a similar system at the provincial level, yet we have a Senate system at the federal level. I am just wondering what your views are on—if we are so keen on maintaining the Senate, why is it then that we do not utilize the same scheme in other levels of Government, whether they be subordinate levels of Government?

• (1100)

Mr. Carter-Squire: Duplication of duty?

Mr. Hillier: One of the analogies we used—Dagney came up with the point in class when she said, the provincial Government can get along without a Senate; why should the federal Government have a Senate? We thought about it, and the analogy we used was, okay, a fellow might be able to own a used car lot in a small town, but he cannot go and run Ford Motor Company, if you see what I mean. It is on a larger scale, and there are many more things to worry about. We think that the federal Government needs somebody to keep them in check, to express our views more fully and just make sure everything is given a final look-at before it is decided upon, and we think, at the federal level, that is necessary. At subordinate levels we do not think that it is as important.

Mr. Lathlin: It is the same kind of a democratic system that we are using, whether it is at municipal, provincial or federal. I mean, we have elections every four or five years at the federal level and, if it is accountability that we are looking for, the message I am getting from your presentation is that accountability could perhaps come from a reformed Senate. Am I incorrect in saying that? Yet we are supposed to have a democratic system. If you do not like the Government and what they are doing, why could we not vote them out in four or five years time, just like we do with provincial Governments and your mayor and council—and your chief and council.

Mr. Carter-Squire: We just really have not studied the effects that a second level of Government in a provincial system, whether that would have any better representation for the people, or what effects having a Senate in a provincial system would have.

We know it has worked and it does work in the federal system, probably because of the size of the country and the inputs from all over the country that have to be addressed. Whether or not that same system could or would work in a provincial system, we just do not know.

Mr. Lathlin: Thank you very much and once again, congratulations for an excellent presentation.

Mr. Carter-Squire: Thank you.

Ms. Jean Friesen (Member for Wolseley): I would like to thank—we are keeping you a long time, are we not? Thank you for a very detailed presentation. I wanted to follow up on a question that Mrs. Render asked and that was about the representation.

I was not quite sure whether you were suggesting that people be selected for their occupational group; for example, you mentioned journalists, teachers, or were those simply examples of what you believe to be non-partisan people? Or do you think there should be representation of particular occupational groups?

Mr. Carter-Squire: No, the occupations were—I think maybe the examples tended to be a little misleading in that most people, I think, see politicians as coming from lawyers and that kind of white-collar role or jobs, and what we are saying is that there has to be some way of having other groups or kinds of jobs or classes of people, or whatever the case may be, represented. That is basically why that was in there.

Ms. Friesen: So you are advising us to consider a system which would look at that kind of broader range of occupational representation?

Mr. Carter-Squire: I think if reforms were carried out, it would come down to those people would probably be more willing to participate than they are now.

Ms. Friesen: Is it just occupation, or would you be looking at language, culture?

Mr. Carter-Squire: Definitely.

Ms. Friesen: Okay, thanks. I wanted to pursue a little further the emphasis that you placed upon non-partisanship, upon non-Party people. In many ways what you seemed to be suggesting was a system similar to that which many people believe exists at the municipal level. You believe that people in this situation would be less susceptible to lobby groups and that they would be free of ideological perspectives. Do you think that is true at the municipal level across Canada? Do you feel that is true, for example, in Brandon?

Ms. Jordundson: For myself, I do not believe it is, because any time you have an election, there is politics involved.

Ms. Friesen: Lobby groups, do they have no influence with non-partisan people? Do they have no influence with municipal councillors?

Mr. Carter-Squire: Everyone would have any influence on an elected representative, but if a senator in our proposal was in a situation where he was getting pressure from different groups and so on and so on, he could still vote according to the will of the majority of his constituents rather than by Party line. What we are saying is, okay, take the will of the people and vote that way rather than by Party line.

Ms. Friesen: Okay. I understand what you are saying.

The second area I wanted to follow up with you is, obviously the thrust of your proposal is for a different kind of regional representation at the national level. All your proposals, for example, are directed at the reform of the Senate rather than its abolition. I wondered what your experience had been or the experience of your research in terms of Brandon and, particularly, Manitoba. In what way have you not been represented in the House of Commons? In what way has your voice not been heard?

Mr. Hillier: The general consensus nowadays with a lot of people is that the wants of the people are not being considered. Even though Government sees our concerns and hears our concerns, they fail to listen to them. Recent examples would be the GST and similar situations where the public has created a real outcry and Government seems to have failed us once again. So the general consensus with a lot of people is that they do not care what we think, just wait until next election, we will get them out of there and start all over again. That is a terrible thing to have happen. We are just looking for a better system where the senators would listen to what we say more closely and use that to enhance the House of Commons, to advise them and tell them exactly what the people are feeling more in depth than perhaps the House of Commons is able to.

* (1110)

Ms. Friesen: You are proposing a system where the senator would represent far more people than the Member of the House of Commons. In what way do you think that is going to address your difficulties in not being heard?

Mr. Hillier: It is not a perfect system, we realize. We are just saying that we do not think that the House of Commons and the political Party in majority should be able to influence the upper House to the point where they will go along with anything that is thrown down there for approval, through stacking the Senate, et cetera. We just wanted something that did not follow Party lines and something that was in fact a sober second thought. That is what the Senate is supposed to be. That is what we hope one day it actually will be, that their concerns will be addressed

and their concerns will be thought of. If the House of Commons does not meet our needs, you have your net, you have your Senate. That is what we are hoping.

Ms. Friesen: Okay.

Mr. Chairman: You are going to have to—

Ms. Friesen: This is my last question, thank you. I realize that this comes from a class in political theory, and so you have addressed specifically institutions of Canadian Government rather than the issues facing Canadian society. I was looking at some of the things that you said. You talked about cultural issues, multicultural issues, aboriginal issues, and I wondered if you had a few more minutes perhaps to reflect just generally on what you think the social issues are facing Canada?

Mr. Carter-Squire: All of those issues that we mentioned are priorities. It does not matter where you go in this country, you are going to find those priorities somewhere in any of the provinces. Sooner or later they are going to have to be addressed. As long as this country is bilingual and a multicultural country, then they have to be considered in our Governments and in all areas that are addressed by the federal Government.

Ms. Friesen: Thank you very much.

Mr. Chairman: Thank you very much to the four of you. You have represented your class very well. Thanks again.

Albert Hodson? Good morning.

Mr. Albert Hodson (Private Citizen): Good morning.

Mr. Chairman: We have your written presentation, sir. Thank you. Please go ahead.

Mr. Hodson: Mr. Chairman, committee Members, I welcome this opportunity to express my views on Canadian unity. I have to say, I prepared this for the federal task force, and there was a little misunderstanding, but I think what I have to say will apply here.

I feel that change should start at the top. I feel that in the federal Government we are sadly lacking in proper leadership, honesty, integrity and fairness. That is a sweeping statement, Mr. Chairman, but it is the view of the vast majority of Canadians, especially in western Canada.

One lack of leadership is that we are into a recession. Eastern Canada as well as the West is suffering, and the rest will soon be, if not now. The example set by Parliament is to vote themselves and the Senate a very substantial raise in pay. This is a signal for every union in the country to ask for a like pay hike, which will further damage Canada's competitive position in the free trade arena with the U.S.A. and Mexico. To add to that is the appointment of eight new senators to the public trough.

The pay schedule of civil servants is kept somewhat higher than the private sector, which causes more strikes. The Senate in its present form should be abolished. Instead of its Members being political appointments, the Senate should consist of—this is just a suggestion—two duly elected people from each province, the Yukon and the Northwest Territories. M.P.s should be elected by the people for the people. I imagine some of you up there are ready to tell me I am wrong.

Some will say that is the way it is now but, unfortunately, under our system the Prime Minister or the leader of the Party, whichever is the case, signs the person's nomination papers, the result being that you either vote along Party lines or you do not get a chance to run again in the next election, whereby M.P.s who have the courage of their constituents and their own convictions are gradually removed and only yes-people left. A case in point is Mr. Bob Horner and the rest of the Conservatives on the Standing Committee on Justice. The committee questioned why Daniel Yingras, a convicted murderer, was allowed out of prison on a day pass, out long enough to murder two more people. The P.M. and Minister of Justice attempted to block the truth. It is needless to say that Mr. Horner and others will never get Mr. Mulroney's signature on their nomination form again. It is not in there, but there are two other gentlemen, Mr. Dan McKenzie from Winnipeg and a Mr. Nowlan from the Maritimes, who were never allowed to run again.

The federal Government should treat all provinces and all people alike, not change the rules to get votes from the larger provinces. Two instances are language and immigration. Immigration should be entirely under the federal Government, not given to Quebec. With the question of language, how can there be unity when Quebec is allowed to say one language only, French, when the other provinces have bilingualism forced on them? How can you have unity when Quebec imposes fines on business people who show signs in English on the front of their business places?

Multiculturalism is not only unnecessary but also costs the taxpayers millions of dollars. To me, if

people want to maintain some of their culture, more power to them, but why should the taxpayer pay them to do so? Another example is Sikhs wearing their turbans and carrying their daggers. If they do not like the RCMP uniform, they can always go back where they came from. If a Canadian swaggered around with a 10-inch knife in his belt, he would be arrested, but Sikhs are allowed to do so. When in Rome do as the Romans do.

Except in the case of a Government being defeated in a vote, there should be an election held at a certain time, not at the call of the Prime Minister when he or she thinks it is an opportune time, for example every four years. This is a question to you on the panel here. I would think that an M.P. would have to take an oath of allegiance to Canada. Is that true?

Mr. Chairman: Yes.

Mr. Hodson: If that is true, how is it that the block of M.P.s from Quebec, whose supposed aim is Quebec's independence, are allowed to sit in the House of Commons? If after 123 years of Confederation Quebec does not consider itself Canadian, then I say tell them to go and take half the national debt with them. Is it in the name of unity that Quebec is allowed to ignore the rulings of the Supreme Court and get away with it?

Mr. Chairman: Thank you, sir. Any questions? Thank you again.

The Brandon Women's Study Group, Cathy Thomassen and Mary Annis. Good morning.

Ms. Cathy Thomassen (Brandon Women's Study Group): Good morning.

Ms. Mary Annis (Brandon Women's Study Group): Good morning.

Mr. Chairman: We have your brief. Thank you.

Ms. Annis: The Brandon Women's Study Group is glad to have this opportunity to take part in the shaping of a constitutional document. We feel it is a much more positive process than having to react to an already written document as we did with the Meech Lake constitutional amendment. What we are attempting to do then and what we hope to do now is to ensure that women's equality rights, so hard won in 1981, are safeguarded in any new constitutional legislation. We are not asking for additional or new legislation, but that which is already there, the Charter of Rights and Freedoms and, in particular, the equality and gender rights clauses are safeguarded beyond any doubt.

* (1120)

In our efforts to maintain equality, we presented a brief to the Manitoba Task Force on the Meech Lake Accord and subsequently received the report on the Accord. We appreciated many parts of this report; however, I must state that upon reviewing the document with legal advisers, we felt it was not worded in a sufficiently strong manner to ensure that equality rights would not be jeopardized given the construction of the proposed Meech Lake amendment.

Hence we feel it is important now, with the shaping of a possible new constitutional amendment which would have repercussions on the Charter, to have the opportunity to make recommendations which would safeguard women's already won equality rights. To this end, we desire to have a statement in any new legislation that would, without a doubt, protect these rights. Also, because wording and placement are so crucial in any legal document, we would like to put forward the names of constitutional lawyers from across Canada who are familiar with litigation cases on equality rights, one of whom is from Manitoba.

At this point, I would like to make it clear why we are taking the time to make this presentation and taking this stand, which we hope will be of benefit to women and men in Canada as well as our children. We must remember that this is the same country in which in the not-too-distant past the Supreme Court ruled that women were not persons, that a pregnant woman denied unemployment insurance was not being discriminated against as a women, but only as a pregnant person, that a wife's contribution to material assets did not count, because wives were expected to pitch in.

Furthermore, even today, while these injustices have been corrected, we know it is still the case that less than 2 percent of foundation grants in Canada go to organizations for girls and women, that female wage earners in Canada earn only 65.4 percent of the wages earned by men, that 85 percent of single parents in Canada are women, that more than 60 percent of these families are poor, and 56 percent of mothers of children under three years work outside the home and only 21 percent of these mothers have access to licensed day care, that 57 percent of Canadian women feel unsafe walking alone at night, that one in four Canadian girls under the age of 12 has been a victim of incest or abuse, that 20 percent of all homicides in Canada are the result of wife assault, that women still have difficulty being

accorded fair and equitable treatment in our courts, that even in universities it is not the case that women are free from discrimination or fear as was so tragically brought to the public's attention by the massacre of 14 young women on a college campus in Montreal not long ago.

We feel the Charter of Rights and Freedoms is a progressive document for women which, given a chance, will help to redress the injustices which still discriminate against women in Canadian society. We hope our presentation, and ones like this, do indeed help to shape the final constitutional document, for the future requires that women, as well as men, shape Canada's destiny. Thank you, and here is Kathy Thomassen.

Ms. Thomassen: Thank you. Our primary concern in any constitutional amendment is recognition of the paramount importance of the Canadian Charter of Rights and Freedoms, that nothing in any amendment to the Constitution abrogate or derogate from any of the rights and freedoms guaranteed in the Canadian Charter of Rights and Freedoms, that the Constitution be amended to guarantee equal application of the Charter across the country so that no Parliament or Legislature of a province be permitted to enact laws that in any way contravene the Charter of Rights and Freedoms.

We believe in the equality of all people, and that everyone must be protected equally under the Charter. We therefore believe that Section 15(1) of the Canada Act, 1982, must be amended to include sexual orientation. We believe that Canadians must be active participants at all stages of the amending process. Women in particular, who make up more than half of the population, have had little access to the social decision-making process.

We believe the Government must actively seek the opinions of women from all political Parties who reflect the diverse nature of the population, and involve women in all matters of constitutional amendment, not only those that impact specifically on women. Ultimately, we hope to have women participating as First Ministers. To expedite this, the Government should create programs that open avenues of access for women to enter politics, programs that include leadership skills training, and to prepare and encourage women to enter the political forum. The future does require that women, as well as men, shape Canada's destiny.

If you will, I have a few thoughts that were written down by one of our members before she left the city on holidays, and I would like to read that on her behalf. Ms. Eleanor Cristall says that: "I believe in a strong federal Government where social services such as medicare and old age pensions apply equally to all citizens. Giving more power to the provinces and less to the federal Government places these services in jeopardy. I believe in a Canada where all people are treated equally, a multicultural mix in which all people of the country are protected under the Charter of Rights and Freedoms.

"I have always thought of Quebec as an integral part of Canada. It was what made Canada unique and interesting. It is hard for me to conceive of a Canada without Quebec. However, if in order to bring Quebec into the Constitution, we will have to weaken our Charter of Rights and Freedoms or give too many concessions which weaken the rest of Canada, the price may be too high to pay."

Thank you very much for this opportunity.

Mr. Chairman: Thank you, both of you. Any questions? Thank you again.

Dr. Agnes Grant?

Dr. Agnes Grant (Private Citizen): Good morning.

Mr. Chairman: Good morning to you. We have your written brief, Dr. Grant, thank you.

Ms. Grant: Though the information brochure on the Manitoba Constitutional Task Force lists six main areas of constitutional priorities, I will confine my comments to the recognition of aboriginal rights.

Time and again we have seen communication between the federal Government and the First Nations people flounder. The constitutional talks of the '80s and the Meech Lake were a debacle for Native people and for much of Canadian society. The Meech Lake talks created widespread resentment among Canadians and especially among two vital minority groups, women and First Nations. Both were excluded from deliberations as 11 middle-class men debated our country's future surrounded by an aura of secrecy.

I commend this task force for holding these consultations. Cynicism is widespread among Canadians, and we do not expect you to perform miracles, but we thank you for trying.

That Canada cannot have a Constitution without taking into account the position of the First Nations should be evident to any but the most uninformed. Elijah Harper played a vital role in scuttling the Meech

Lake Accord, and thereby he made constitutional history. People like Elijah will be ignored to this country's peril in the future.

Both Government and mainstream media chose to ignore Elijah Harper's role. As late as December 28, 1990, Prime Minister Mulroney was still blaming the collapse of Meech on Newfoundland's Clyde Wells. Magazines like Maclean's did not properly represent Elijah's role. Though Clyde Wells made the cover of Maclean's, Elijah Harper never has. The edition that logically would have displayed Elijah's picture on the cover resorted to a tired rerun of Canada-U.S. relationships and this after one of the most dramatic events in Canadian aboriginal history.

The media has, however, changed its position in that Elijah Harper was voted Canada's top newsmaker of 1990 by a sizable majority of journalists. His picture has appeared on covers of many alternate magazines, like Canadian Dimension, NeWest Review, Western People, to name a few, where thoughtful writers examined what Elijah Harper's role in scuttling Meech Lake means to Canadians.

* (1130)

What is often overlooked, however, is that Meech Lake was not so much a victory for Elijah as for First Nations. It would be out of character for a northern Cree to forge ahead as a rugged individual intent on becoming a political star. It became eminently clear as the Meech drama was played out that Elijah was working in concert with his people. First Nations people, chiefs, politicians, lawyers, elders, ordinary men and women advised and supported him. It was the moral support, strength and sense of direction from First Nations that enabled him to persevere. He also received support and advice from non-Natives. All were saying with one clear voice, enough is enough, we cannot have a Constitution that ignores First Nations.

Elijah Harper is not a one-man show. He is working for First Nations of Canada and First Nations have become a formidable factor. They are a group of people who will no longer allow Canada to function as a country in which they have no role to play. They entered agreements with Great Britain as sovereign nations, and their position today is to continue as sovereign nations in control of their own destinies, at least to the extent that any of us are in control of our own destinies.

There is a great deal at stake for other Canadians if First Nations sovereignty is recognized. The need for settlement of land claims is fairly well understood, but there are other aspects as well. Canada is a nation of grain fields, forests, mines, fisheries and a further industry which I, for lack of a better term, call the Indian industry. The grain, lumber, minerals and fish have created riches for the descendants of the original colonizers. Likewise, the Indian industry has kept hundreds and thousands of these descendants employed over the years. Many jobs held by non-Natives are at stake if sovereignty is recognized. The next time around, constitutional talks must resolve relationships between Canada and First Nations, because in the 1990s, First Nations are fighting establishment with establishment's own tools. Their very survival as a people is at stake, and they will not agree to promises which can be broken on a whim. Chief Dan George very accurately predicted that First Nations would continue to do battle, like warriors of old, but their weapons would be white man's education.

That autonomous First Nations existed at contact time cannot be disputed. How else can we rationalize the numerous treaties signed with Nations across Canada? How else can we account for the many signatures essential to finalize each treaty? How else can we understand different terms for different bands within one treaty? Yellowquill, for example, did not agree to the terms of Treaty No. 1. He, like the other chiefs, was to receive a buggy, intended by the negotiators to enhance his status as a European-style leader, along with the red coat and the medal. Yellowquill rejected the buggy, demanding instead more land, which he received eventually.

The Royal Proclamation of 1763 guaranteed aboriginal rights to land, and ostensibly, Governments have abided by the proclamation. From the earliest times, European thinkers recognized aboriginal rights, though the interpretation of these rights were usually in favour of settlers rather than benefitting the Nations who owned the land.

The Swiss jurist, Vattel, developed a Law of Nations which justified the extensive colonization by Europeans all over the world. He said, in effect, that there is a question about whether people can justifiably claim ownership of land which they do not constantly occupy. He believed humanity has an obligation to cultivate the earth, based on Old Testament teachings, so no one person should own more land than could be farmed. Europeans were too pent up at home, Indians did not settle down permanently, so there was no deviation from the

views of nature in confining Indians to small parcels of land.

Vattel did not, of course, explore or comment on land and water resources, minerals, wildlife, ecological imbalances or pollutions, but he provided a rationale for a way of thinking that justified signing of treaties—treaties where the negotiators were instructed by Government to get the land for as small a sum as possible, which Archibald did when he secured large parts of Manitoba for $3 annually, later raised to $5, and 160 acres for a family of five. He set the tone for Government-aboriginal negotiations, which still continues today.

The British, and later Canadian Governments, were highly committed to treaties. How else to provide peace and tranquility for the settlers?

Several underlying principles must be kept in mind in considering this treaty period. Treaties were signed by First Nations and the Government of Canada on behalf of Queen Victoria. Canadian Governments and Canadians have forgotten or ignored or have never known that these were sovereign nations, or that the agreement was with the Queen. When the Constitution was brought home in 1982, there was no recognition or understanding of the fact that the Canadian Government cannot represent First Nations unless First Nations agree to it.

An agreement was reached whereby the issues would be resolved through a series of constitutional talks. These were so blatantly unsuccessful that cynical Canadians believe that the failures were very carefully orchestrated. Government pinned all hope on Meech Lake which, following historical precedent, ignored First Nations.

First Nations, however, have not been idle in the interim. They have organized; they have studied; they have researched; they have educated. When the opportunity presented itself, they said, no, Mr. Speaker, and they were able to halt the constitutional steamroller.

Today we are, not only witnessing the political power of First Nations, but also a renaissance of aboriginal spirituality, literature, language and cultural practices. The Mohawk standoff of last summer left many Canadians shaken. Canadians generally want a solution that redresses historic wrongs and provides equitable opportunity for First Nations—or I think they do anyway.

There are several things we can learn from the Mohawk standoff. In the first one, the Department of Indian Affairs has become so unwieldy, a convoluted bureaucracy, that it is almost useless. We cannot look to it for solutions no matter how well intentioned the people working there are. The second point is that the Department of Indian Affairs has lost its sense of direction. Originally, it was established to protect the rights of First Nations people, and it is now used to protect Government from First Nations people. Never was this more openly demonstrated than last summer when problems were compounded by an intransigent and confrontational Minister of Indian Affairs.

We can also learn that, when people have nothing left to lose, they resort to violence and that all violence hurts innocent people. A fourth aspect, very sobering for Canadians, is the vulnerability of our country. First Nations have it in their power to cripple Canada physical and economically. It is only due to their peaceable nature that it has never happened, and Oscar referred to their patience before. Think how easy it would be for the First Nations of Quebec to knock out Quebec's hydro.

Canada has time to act and solve one of its most long-standing problems. We can enter a new era of guaranteeing aboriginal rights within the Constitution and co-operate in defining new relationships, new ways of co-existing in a country that prides itself on multiculturalism. Mainstream Canadians spend little thought on the concept of self-government or sovereignty. Very often the position of First Nations is trivialized by inconsequential comments, for example, will you have your own stamps, or will I need a passport to go on your reserve, while the big issues are lost in the verbiage. This kind of devaluing and trivializing of a people's just aspirations is unacceptable.

There are models of sovereignty within a mainstream society among the Navaho nations of the United States. These can be examined. First Nations people have been working for many years on developing a system that can work if the will is there. Canada has always allowed divergent lifestyles where people themselves set the parameters of what they will be.

In his 1969 White Paper, Pierre Trudeau suggested that treaties no longer be honoured. Though the White Paper met with so much opposition that it was dropped, it is a disquieting thought to remember that Jean Cretien was a co-author of it, and he attempted to justify his position to aboriginal people. This disregard of treaties says, in effect, that this generation of aboriginal people should no longer be

allowed to inherit from their foremothers or their forefathers. It would be equally just to say that this is the last generation of Bronfmans who will be allowed to inherit hereafter. The money goes into the public purse.

* (1140)

It may take awhile for some First Nations to become self-sufficient. Perhaps some never will, because their livelihood has been destroyed by a technological society. We do not really know if they can become self-sufficient, because the opportunity to do so has rarely existed. When they have access to their own resources and are allowed to make decisions determining their own welfare, who knows what the outcome will be? We need only look to The Pas or Norway House to suggest future directions. None of this can ever happen without the resolution of basic constitutional issues.

Aboriginal-white relationships have gone through various phases throughout history. Equal partners in the fur trade changed to friends or foes as Europeans fought for supremacy on Canadian soil. As British settlement flourished, First Nations became an impediment to progress and were relentlessly reduced to a state of dependency from which they are only now emerging. If we can learn anything from history, it is that the "Indian problem" will not go away.

We are coming full circle in that First Nations want equal partnerships in this country. Now is the time to recognize First Nations' sovereignty and establish new, constitutionally based relationships between Canada and the First Nations. Thank you.

Mr. Chairman: Thank you very much, Dr. Grant. Any questions? Oscar Lathlin, to begin with, and Shirley Render.

Mr. Lathlin: Thank you very much. I would like to thank you for your presentation. My question—I asked the same question in Dauphin yesterday and, at the risk of repeating myself to my colleagues, I am going to ask you anyway, because I think it has relevance to the issue of Senate reform that we were just talking about awhile ago.

My question simply is: Do you think it is absolutely necessary to first define what aboriginal self-government is, in view of what has been happening in the past? For example, in Meech Lake, the day after I think, I would not be lying if I said that 99 percent of the Canadian people, the day after the infamous meeting in the Langevin Block, that 99 percent of the Canadian people did not really understand the contents of those sets of amendments. The Government was willing to go ahead and push it through anyway.

Free trade, we are now just starting to understand what free trade means, a lot of us. When free trade was introduced, became law, how many of us knew the contents of those documents, and how many of us knew the implications of free trade? We are only now beginning to find out.

GST. A young man said, and I think it was 85 percent of Canadian people who told Mulroney we do not want GST, but it went through anyway. When free trade was being debated, I remember Don Getty telling me, well, do not worry about it, you may not understand it now but things will work out. Then, this morning we talked a little about the Senate. There is a sense of feeling out there that some kind of Senate reform is needed. Nobody, I mean a lot of people have a lot of ideas, not one person has come forth and said, this is exactly the way it is going to be. Now, when we as aboriginal people come along, and we say to the First Ministers—and we have been saying that since 1982—their response is, but we do not know what self-government is. We did not know what free trade was all about either. Meech Lake, GST, the need to reform the Senate, we do not know how to do it.

The point I am trying to make is if we do end up reforming the Senate, it will take form through an evolutionary process. That is why I am asking you the question, is it absolutely necessary in your view to first define, or can we agree on a set of principles which will lead to the evolution of aboriginal self-government?

Ms. Grant: No, I do not think that we need to have a clear explanation about what self-government is. I think that all the talk about what is self-government is merely a red herring and an excuse to come to terms with it and has been for very many years.

What we need in constitutional reform is a clear statement of a belief in aboriginal rights, a belief in the principle of self-government and perhaps—I do not know, I have not written many constitutions in my life so I do not know where you go with this. Those two things I think are what we have to agree on, that Native people do have aboriginal rights in Canada, that they are sovereign nations and that they have a right to self-government, however that self-government is going to be defined.

I do not believe that all First Nations people are going to have the same kind of self-governments because some bands have the resources and the

people to do it and some do not. Some are big; some are small. There is not going to be any one definition of self-government that is going to fit everything anyway.

Mrs. Render: I really enjoyed your presentation and again, like the group from the school here, you have evidently given it a lot of thought. My question is somewhat similar to Oscar's. I was going to ask you what your definition of self-government was because I have a hard time trying to define that myself, and I guess I feel that it is very useful to have a definition.

I am wondering whether in your presentation you have sort of jumped the street here. You say you would like to see the First Nations be in control of their own destinies at least to the extent that any of us—I guess you mean others—control their own destinies. It is almost as if you were perhaps saying one thing but then saying, well, all of us perhaps control our destinies. I wonder if you could elaborate on what you do mean by self-government.

Ms. Grant: Yes, I would be pleased to do that. I guess when I wrote that statement about to the extent that we all control it, that was just when the war in the Persian Gulf was breaking out, and I was thinking there is not a single one of us in Canada that has any control over our destinies at all, but I mean more than that.

I work with a Native teacher training program, although I am presenting this paper as an individual and not on behalf of the university. I have seen first-hand where Native people do not have any, or at least in the past, have never had any opportunity to have any input into what happens to their children.

* (1150)

Now, each one of us feels that we have the right to raise our children the way we want to raise our children, and when they go to the public school system—yes, that is our system which has been set up, that benefits us, where English-speaking white people are the people who are being taught about, where history is taught from the point of view of what made the white middle class people of Canada what they are.

Native people have never had that opportunity until very, very recently. It is a very recent phenomenon that Native people have had any choice whatsoever in deciding what is going to happen to themselves and their children.

If we took every dollar in Canada that is spent on Indian people and gave it directly to the Indian people and let them spend it for their own welfare, this is what I am talking about when I am talking about self-government, where there are not 16 levels of Indian Affairs people and all the other bureaucrats that eat up the money on the way, and where a little tiny bit of it eventually gets to the kids that are in the school. If we eliminate all those, what I refer to as the Indian industry, all the people that are working on behalf of Indian people, and let them do it themselves, not only would they be employed, but they would also have a concept as a Native people who control what is happening to themselves.

I do not think—and I am not speaking here on behalf of Native people, I am talking on behalf of myself—that they want to separate from Canadian society and be something that has nothing to do with the rest of us Canadians. What they want is to take those things that they can control themselves and control them, and come in and out of Canadian society the way the rest of us do.

Large groups of Canadians have come from a different culture background. I did too, and so my cultural roots are very strong. In some ways we do not participate with mainstream society, but in some ways we do, and we are the ones that have to make that decision and be allowed to make that decision.

Native people also need to be allowed to make that decision, but they also have to be allowed to control the bucks in order to make these decisions wisely. I do not know what form it is going to take. We have got the aboriginal justice society report coming up soon, and they are going to be talking about the justice system, and I am sure there is going to be something in there.

Mr. McCrae: Doctor, I will indeed be taking a closer look at the written part of your brief. I had to step out, and I apologize for that, but I was in on some of the discussion here in the last few minutes.

One comment you made stays with me, and it gives me some trouble, to tell you the truth. Having been one who was involved in the discussions in Ottawa, that horrific week last June respecting the Meech Lake Accord, I know that it really is not going to be enough, I believe, for aboriginal leaders in this country to have some general statement in the Constitution about aboriginal self-government and what aboriginal rights mean. Now that is the feeling I have, that general statements like that are not going to do the job for them. They are not going to be satisfied. In other words, if you want to talk about aboriginal

self-government, and put that in, say, a preamble to the Constitution, I doubt that will be sufficient.

We are going to need that kind of assistance in the future as to what we are to do constitutionally because although this task force is about general directions, ultimately we are going to have to get down to the nuts and the bolts of writing constitutions, and general comments like that are not going to be good enough. I make that point with you because we are going to need help, and we are going to need, I suggest, aboriginal leaders' help in a unified kind of way so that all of us can work together.

I think part of our problem, part of the aboriginal difficulty here, is the same as the one the rest of us have, and that is that Quebec does not agree with B.C., and Prince Edward Island does not agree with New Brunswick, and in the same way, you might have Indian bands in British Columbia not agreeing with Indian bands in Ontario or such like. I raise that as a problem. I do not think you can probably answer that question or deal with it today in a final way, but that is going to be a problem, the fact that job is not done yet.

Ms. Grant: Yes, I recognize that, but I think that a lot of work has already been done by First Nations people, and if it becomes necessary to somehow outline what they understand by self-government, that there will be a statement of principles, of what they believe generally that self-government is. I know that work is out there somewhere. It just has not ever been put together and presented in a public forum. I know that Phil Fontaine is going to be presenting on behalf of Native people at the Winnipeg hearings, and I would hope that he has something more specific. We will put a bug in his ear.

Mr. Chairman: Thanks very much, Dr. Grant. Terry Shillington. Good afternoon or morning, sir—well, just past the magic hour. Welcome.

Mr. Terry Shillington (Private Citizen): Thank you. I am pleased to be here and pleased to sneak in before twelve o'clock. I appreciate the role that you people are taking in facilitating a discussion in our province. My remarks are not lengthy.

First of all, a couple of disclaimers—I apologize for speaking in generalities. I happen to be a clergyman, not a lawyer, and so the fine points are difficult to be knowledgeable about, but also I want to underline that I speak for myself. I do not speak for my congregation nor for the denomination I serve, and I will be clear about that, although some of things I have to say are concerns that have been raised by our denomination consistently over the years.

First of all, I have some observations about what I believe this discussion ought not to be about. With all due respect to the four presenters, it seems to me that a discussion of the reform of the Senate is not a helpful discussion for us to absorb ourselves in. I think that a Triple-E Senate would be one that would slow Government response to many issues, would complicate decision making, would blur accountability in the public eye as to who was finally accountable and would simply be another player in an already tangled national discussion.

To enlarge on that some more, I believe that what we ought not to be talking about is major structural constitutional change in our land because I do not believe that is the problem. Our denomination has a hallowed tradition that when we lose track of where we are going or sense some malaise around, then we restructure, and when we finish restructuring, we find that often the same issues are still there.

I believe it is a great temptation in our land to tinker with the structures. We feel if we tinker with the structures, then the cranky ones will be less cranky, the fear and malaise will be resolved and we will all be a happy family. I think it is just a mirage that will engage a lot of energies and yet not really resolve the fundamental problems, and I would like to talk about that.

Thirdly, I think the discussion ought not to be about how we can shape a land that will satisfy Quebec's needs. That is properly a discussion in Quebec, but I believe for Manitobans we ought to be discussing the shape of the land that we wish to see and then discuss with Quebec whether that is a structure and shape that can meet their needs, that we ought to be concerned about basic principles for the land to make sense to us.

That leads me to three concerns that our denomination has raised over the years. The first one is that we have always stood, I believe, for social equity for all Canadians regardless of geography, cultural, racial background or economic resources. I would be concerned—I think our church generally has been—that we maintain a Canadian Government that has the power to redistribute wealth, to insure justice across regions, to protect racial minorities. I am concerned about what I see as a trend to the downsizing of federal Government.

Since the mid-'70s, for example, I believe federal spending on health has declined from roughly 50

percent to 25 percent and a similar percentage regarding post-secondary education. There has been a backing off of regional development programs, and I think there has been a trend in our land to downsize federal Government and strengthen provincial Government.

Yet we believe in a land that is able to do justice and for a federal Government that has the muscle and resources to do justice and to ensure that for all regions and minorities in the country. I am anxious that we may be moving in a direction that further downsizes the federal Government. Certainly we will, if we feel that the Government needs to reflect all of Quebec's needs and to ensure that for each province. I believe in a federal Government that has the power to protect the rights of minorities and that sees that as one of its major tasks, and our church has spoken out for that repeatedly.

Thirdly, my vision of the federal Government is one that respects the right to self-determination in Canada through peaceful negotiation for both Quebec and also Native peoples. I would be anxious that we have a commitment as a land to enter into negotiations with Native people and do that with some sense of urgency. I do not sense the feeling of urgency about it as long as Native people are not in the headlines.

* (1200)

So it seems to me the mood of our land is angry and anxious for many reasons, and there is an almost complete distrust of structures and institutions including political parties and churches too. I think all of that is unfortunate, but I think we need to work that through and move beyond it rather than to change our land to respect that. I see some of the changes being proposed as an attack on institutions rather than making them more effective.

So it seems to me, my vision of a future for Canada is one that sees the federal Government with the power to do justice, that protects minorities, and that respects the right to self-determination. But it seems to me that the solution lies, rather than sweeping changes, in a mood of dialogue and a mood of sensitive, effective Government.

I think there are adjustments we can make that will make Government more effective. There are some adjustments we can make that will make the Senate more effective, but also there has been much discussion about measures that might make Members of Parliament and Members of the Legislature more accountable, and I think we ought to look at some of those. Basically, our need in Canada is for one of dialogue and respect for one another and to spend our time making the structures work rather than radically reshaping them, and then find that we still have the needs there. I thank you very much for the privilege of saying that.

Mr. Chairman: Thank you, sir. Any questions? Thanks again. Dr. Brockway will be our final presenter this morning.

Dr. Robert William Brockway (Private Citizen): Thank you very much, sir. I am also a clergyman as well as a professor, but I am speaking entirely for myself rather than for members of my congregation which is the Humanist Society of Brandon. I am a Unitarian minister.

During the autumn of 1954, my wife and I immigrated to Canada from the United States of America and subsequently became Canadian citizens, not because of economic opportunity but for reasons of conscience. We thus joined a long tradition of American expatriates who have defected to Canada out of dissent.

The tradition began with the Loyalists and continued with the Confederates like Generals Thomas, Lafayette, Rosser for whom the main street of this city is named. They include Mennonite pacifists during World War I and those of us who left America in anger during the McCarthy Era. The most recent American expatriates of course, include the Vietnam War protesters, and there will probably be some more expatriate Americans coming up here now that the Persian Gulf War has begun.

The Canada to which my wife and I originally migrated during the 1950s was a distinct society, different in many profound though subtle ways from the United States. These differences, differences that my wife and I cherished very, very, very much, are comparable to those which distinguish Austrians from Germans, Chileans from Argentineans or Portuguese from Spaniards. In other words, they are subtle differences for the most part, but very, very important differences nonetheless.

Unfortunately, many of the features which distinguish Canada have eroded, especially during past decade, and the nation is becoming absorbed into American civilization to an unprecedented, and I would say, alarming degree. This is not the same thing as the absorption of Canada or any other nation on earth into global civilization. It is rather to say that George Grant's dolorous predictions in Lament for a

Nation, in which he predicted the disappearance of Canada, are being realized in continentalism. Canada is disappearing like the Cheshire cat in Alice in Wonderland, not from conquest, but because the country is being given away.

I do not believe that this is the Canadian national will. Unfortunately, we are trapped by a constitutional system which perpetuates a continentalist federal Government elected by a majority of constituencies but not a majority of people. A Government which is only concerned, apparently, about the well-being of American-based corporations.

As repeated polls show, this Government has lost the confidence of all but 12 percent of Canadians, as of January 1 of this year. Yet we cannot rid ourselves of it or even have a substantial influence upon it, but must wait out the life of this Government until the next election is called two or three years hence. By then, there may be very little of Canada left.

To me, the pressing problem is how to make the popular will effective. We are confronted with the disintegration and possible disappearance of Canada itself and are trapped by a constitutional system. Some propose the Triple-E Senate as the solution, with the American and Australian models in mind. I have given this idea a great deal of sympathetic consideration, although I am anything but an expert in law or constitutional law; but I am no longer convinced that the Senate has a worthy reason to exist at all, and I now favour abolition.

Australia is cited as an example but there the wealthiest and most populous states of Australia such as New South Wales do not have the kind of preponderance in Australia that Ontario and Quebec do in Canada. Therefore I think their situation is rather different even though it is the same British parliamentary system. Ontario and Quebec I think, are our problems, that is to say the problems that those of us who live in the rest of Canada.

The American model is also cited, and there I might make some comments as an historian as well as an expatriate American. Prior to the Civil War, most Americans identified with their states. Robert E. Lee, for example, refused command of the United States Army because his highest loyalty, at that point in time, was to the State of Virginia rather than to the United States.

Since the Civil War, however, the United States has become centralized and the states have lost their importance and are now of little more significance than counties. This was not foreseen by the fathers of the American Constitution who conceived of the Senate as a check on democracy which they feared. There are indeed countervailing forces in the United States, but they do not include the United States Senate. The fact that there are two senators from each state regardless of population is no longer particularly important.

The Compromise of 1850 was a last desperate attempt to try to preserve the Union short of war. It failed and 10 years later the constitutional system broke down and the Civil War broke out. The South, like Quebec, was a distinct society, a nation within a nation, and for far more reasons than slavery. In the end the South was crushed and, by that means, the problems of a distinct society were solved.

Our Fathers of Confederation met at Charlottetown, Prince Edward Island, while the Civil War raged south of the border and had that war very much in mind. In large measure, the British North America Act was designed to avoid the issues which had caused the American Civil War. This was done by restricting the constitutional powers of the provinces and reserving vast potential powers to the central Government.

* (1210)

Paradoxically, however, the system did not work as intended. Since Confederation, the central Government has steadily weakened while that of the provinces have grown. This is chiefly because of the enormous size, wealth and power of Quebec and Ontario. The problem has been further complicated, of course, by the fact that Quebec is French and, like the American South, a distinct society, a nation within a nation.

Meech Lake, of course, was the latest of the attempts to resolve the issue and is comparable in some ways to the Compromise of 1850. Meech Lake did not pass but, even if it had, it would have made matters worse because the solution adopted was decentralization. Mr. Bourassa's recently published solution calls for even more decentralization. That, as most Canadians perceived, can only lead I think to national disintegration and our becoming hewers of wood and drawers of water for the Americans.

Would the Triple-E Senate help solve the problem? On serious consideration, I think not. True, it would reduce the Quebec and Ontario representation in Senate to four, say for example, against 12, but the history of Upper Houses has not been happy from the point of view of popular sovereignty. They all tend to

become rich men's clubs, to represent corporate interests as opposed to popular and I believe, therefore, that the Senate should be abolished.

Today, our chief problem is the overwhelming domination of both the United States and Canada, as well as the rest of the world, by American-based international corporations which are so inextricably bound up with the Governments of those countries that it is impossible to say where one leaves off and the other begins. The only appropriate countervailing force to the corporations is the popular will through the popularly elected Members of Parliament.

Under our constitutional system, Members of Parliament do not represent people but constituencies. In repeated elections, in recent years, Governments have been elected in both the United States and Canada in which the successful Party won a majority of seats but not the majority of popular votes.

What is needed is a truly democratic system in which the Members are elected by the people and in which the votes cast by all the people count. This system is provided by proportional representation which is the system followed today by most Western European countries. Too, in 1878, Switzerland adopted referendum and recall by which 50,000 signers to a petition may either directly enact legislation or remove an office holder. The same system is also used in Oregon. I believe that this system too would help our situation, again as a countervailing balance to the overwhelming power of corporate wealth and power concentrated especially in Quebec and in Ontario.

Finally I might mention another historical example worthy of study, and this is the Ausgleich or compromise which created the dual monarchy of Austria-Hungary out of the monolithic Hapsburg Empire in the same year, 1867, as our Confederation. True, this is not a democratic solution, nor is it contemporary, but it is, I think, a worthy and interesting example of a way in which 23 nationalities were reconciled within a single empire. If it had not been for the defeat because of the enormous strains of World War I, Austria-Hungary might have evolved into a Danubian confederation, and indeed might have blocked the expansion of both Germany and the Soviet Union.

Those who object proportional representation in particular point to the instability of Government to the paralysis that sometimes occurs, as in Israel. The system does not always work well, but in those situations where it does not, it is probable that no other system would work any better.

In most European countries, the parties of the right and left form coalitions which, by their very nature, create the same situation as minority Government does here. I believe that we in Manitoba have had good experience with minority Government of both the NDP and Progressive Conservative Parties, and that our best legislation in Ottawa has been brought about during the time when there were Liberal minority Governments.

The very instability and political insecurity created by coalition Government or minority Government tends to make politicians sensitive to the people whom they serve and less inclined to arrogance or to serving entrenched, special interests. I wish to thank the task force for this opportunity to make a presentation.

Mr. Chairman: Thank you, Dr. Brockway. Any questions? I have one for you, sir. I take it that you would forfeit a Senate, clearly. You said you have thought about that carefully and decided that abolition would be the route for you.

I presume that the trade-off in part—one never looks for exact trade-offs in the inexact science of politics, but the trade-off for you would be the revival of certain aspects of what we might describe as direct democracy, first of all, a more reflective election system from simple plurality to proportional representation, and secondly, consideration of such devices as plebiscite, referendum and recall—

Mr. Brockway: Yes, sir.

Mr. Chairman: —which are all vestiges of direct democracy, if you like. You would see certain safeguards arise from those reforms that would in your view be more viable than the reform of a second chamber.

Mr. Brockway: Yes, I go to Europe quite often. I was in Austria while an election was being held, just in October, and I was very, very much impressed with what was going on there. They have proportional representation. There were quite a number of parties represented and a coalition Government was founded with a very, very able Chancellor who has been in power before. The Green Party, say, for example, was represented and a number of small parties. There was a rural party, and then there was a social democratic party, and there was a conservative party, and all of them represented

different constituencies and people within the country.

Austria is one of these very, very progressive countries now, sort of like the Scandinavian countries, that have very advanced social systems, very, very enlightened social systems, but at the same time a great deal of freedom. I am very much impressed in my travels in Europe, even countries like Portugal—I was in Portugal last February, and I was quite impressed with Portugal. There they have proportional representation too, and very little experience in democratic Government.

Mr. Chairman: Thanks very much, sir.

Mr. Brockway: Thank you.

Mr. Chairman: Ladies and gentlemen, we will now adjourn the morning session, and we will be back to hear the afternoon presenters at 1:30 this afternoon. Thank you.

* * *

The hearing took recess at 12:17 p.m.

After Recess

The hearing resumed at 1:30 p.m.

Mr. Chairman: Good afternoon, ladies and gentlemen. Welcome to our second public hearing in Brandon.

We enjoyed hearing the views of some of the folks of the Brandon area this morning. We have quite a large number to hear this afternoon.

The rules are very simple. There is a 20-minute time limit on your presentation, and you may have questions asked by Members of the task force after you are completed. A written text is not necessary, but if you have a written script, we would be delighted to have a copy of it so I can give it to my colleagues.

If you feel moved to speak and your name is not on the list, if you would just be good enough to share your desire with the gentleman at the table that is at the entrance to the room, then we will add your name to the list.

I am pleased to introduce the Members of the task force who are with me this afternoon. At the right end of the table is Mr. Oscar Lathlin, the New Democratic Member for The Pas and a Member of the Legislature, of course. Next to him is Mrs. Shirley Render, the Conservative Member of the Legislature for St. Vital. Next to Shirley is Mr. Jim McCrae, the Conservative Member of the Legislature for Brandon West. Jim is, of course, an honourable gentleman, being a Member of the provincial Cabinet as Minister of Justice, among other things. Coming toward me from the left-hand side of the table, Ms. Jean Friesen, the New Democratic Member of the Legislature for Wolseley. Next to her is Mr. Bob Rose, the Conservative Member of the Legislature for Turtle Mountain. Next to me on my left is Mr. Jim Carr, the Deputy Leader of the Liberal Party in Manitoba and Member of the Legislature for Crescentwood. My name is Wally Fox-Decent.

Ladies and gentlemen, I would ask that the first presenter come forward, please, Mr. Ross Martin, representing the Brandon District Labour Council.

Mr. Ross Martin (Manitoba District Labour Council): Thank you, Mr. Chairman. It is certainly a pleasure to be here.

I certainly appreciate the Members of the Legislature taking the time out of their busy schedules to come and listen to the concerns of Manitobans. I congratulate all of you for the effort that you have made.

The Brandon District Labour Council is a directly chartered organization of the Canadian Labour Congress. We represent approximately 4,000 union members and their families in the city of Brandon and the surrounding area. We appreciate this opportunity to express our fears and our hopes about the future Canadian Constitution.

We are extremely concerned that the Constitution is being amended to satisfy the elite few, to the detriment of all other Canadians. We are also very concerned that some Governments—and I will stand corrected on this, but it is my understanding that not all provincial Governments and the territories are having the same type of open hearings as we are here. An indication that the Spicer commission was in the city of Brandon yesterday and only elected to meet with a very, very select few brings back concerns of Meech Lake again. This makes these public hearings that much more important.

* (1340)

At the outset, the Brandon District Labour Council would like to establish a context for the remarks we will be making on the issues of primary concern to this Constitutional Task Force.

In 1984 we elected a Government in Ottawa that was committed to the idea of transforming the character of Canadian society. For most of the post-Second World War era there was a consensus

in Canada that markets should be subordinate to the interests of society. Markets had a useful role to play in helping society achieve its economic and social objectives.

The Conservative Government we elected in 1984 has attempted to reverse this basic tenet by subordinating the interests of society to self-regulating, self-adjusting markets, in short, under the current Government in Ottawa, free markets; that is, markets free from Government intervention and regulation have become an end in themselves.

Virtually every policy Conservative Governments in Ottawa have instituted since 1984 have been designed to strengthen the influence of markets and reduce the influence of Governments—therefore, the citizens—in the determination of economic and social conditions. Privatization, deregulation, the changes to unemployment insurance and the tax system, the cuts to social welfare programs, VIA Rail, Air Canada, Canada Post, Canadian Broadcasting Corporation and so on are all designed to undermine, and, of course, although we do not hear much about this in the rhetoric and propaganda that is used to justify these policies, to strengthen the position of individuals and organizations who have market power.

The policy which epitomizes the Tory crusade on behalf of markets and the interests of the rich and the powerful in Canadian society is the bilateral Free Trade Agreement with the United States. The significance of the Free Trade Agreement is that it marked the abandonment by the Conservative Government in Ottawa of any obligation and commitment to maintain a viable Canadian society. In effect, the Free Trade Agreement amounted to a declaration by the Conservative Government in Ottawa that its role was to serve the interests of international capital which are the giant firms that dominate the global economy and Canadian society be damned.

It is already evident that one of the main effects of the Free Trade Agreement has been the fragmentation of Canadian society. Since the Free Trade Agreement took effect January 1, 1989, trade flows have shifted from an east-west direction, which was primarily between provinces, to the north-south direction, which is between the provinces and the states of the United States of America.

This shift is reflected in trade in goods and services as well as reflected in the transfer of capital. This is mainly in the form of the closure of plants and the relocation of production facilities to the U.S. and to Mexico. As this shift intensifies, as it surely will, the ties between provinces will weaken, and there will be pressures to eliminate the institutional mechanisms. One of these mechanisms is equalization payments which have been used to protect the economies of, and enhance public services in have-not provinces such as Manitoba.

The policies of the Conservative Government in Ottawa, in particular the retreat from commitments to important social welfare programs such as medicare, the Canada Assistance Program and post-secondary education, and the attempts to turn more and more powers over to the provinces are designed to accentuate and consolidate the shift of economic activity to a north-south direction. These views are not exclusively ours, of the Brandon and District Labour Council. On the contrary, there are many individuals and organizations, including some who were proponents of the Free Trade Agreement, but apparently did not understand the implications of the deal or chose to keep silent on them, who have reached the same conclusion.

If we project into the future, we can see that the results of these policies will indeed produce a profound, and in our view, extremely harmful change in the character of Canadian society. In Ottawa we will have a Government exclusively concerned with the interests of international capital, pandering, if you will, to the interests of the firms associated with the Business Council on National Issues. As well, we will have 10 provinces with increased powers competing with each other and with the states of the United States and also Mexico, for the investment—the plants and jobs—of international corporations. Such competition will be based on tax holidays, loan guarantees, grants, free buildings and so on. When it becomes evident that the poorer provinces, including Manitoba, are at a disadvantage, the gutting of employment standards, health and safety and labour relations legislation will follow.

This brings us now to the Meech Lake Accord. The Conservative Government in Ottawa attempted to sell the accord on the grounds that it was merely a tidying up of loose ends which was necessary to bring Quebec into the Constitution. It was about more than that. Meech Lake was intended to be a political counterpart to the economic Free Trade Agreement, or to put it another way, Meech Lake was intended to entrench a political framework which would

accommodate the economic imperatives of the Free Trade Agreement. This was the whole purpose of the federal Government in conceding to every province what it conceded to Quebec; i.e., the transfer of powers to the provinces and undermine national programs and the ties that have historically linked the provinces of Canada in a common enterprise.

The bulk of the Canadian public was able to perceive this, despite the massive propaganda campaign mounted by the federal Government. This was the underlying issue in the widespread opposition to the Meech Lake Accord. It was, of course, reflected in specific concerns. In the case of the Brandon and District Labour Council, we opposed the accord on the following grounds:

We objected to the idea that all provinces should be conceded the same power and rights as Quebec; for example, the nomination of judges, increased powers over immigration, the right to opt out of federal programs and a veto on certain constitutional matters, including Senate reform;

We opposed the accord because it failed to accommodate the interests and aspirations of Canada's aboriginal peoples;

We opposed the accord because we were concerned that the distinct society provision was not explicitly subordinated to the Charter of Rights and Freedoms;

Finally, we opposed the accord because we believed that the provision dealing with the spending powers of the federal Government would preclude the establishment of new national programs with national standards and lead to the gutting of existing programs, something which is, of course, already being unilaterally done by the Conservative Government in Ottawa.

Now we have another round of debate and discussion on the Constitution. The signals we have been getting from Ottawa suggest that the Conservative Government's agenda is to try once again to get something like the Meech Lake Accord entrenched in the Constitution, only this time with even a greater give-away of powers to the provinces. It is still too early to comment on the Spicer commission, but from what Mr. Spicer has told The Globe and Mail, it seems that the purpose of this body is to prepare the Canadian public to accept proposals coming out of Ottawa.

In western Canada, the present Governments seem to have a twofold agenda. First, it seems that they are sympathetic to the idea of allowing the federal Government to relinquish responsibility for social welfare programs in exchange for a few more tax points. Such an idea must be rejected out of hand.

Second, these same Governments seem to have seized on the idea of a Triple-E Senate as a panacea for everything that is wrong with the Constitution and everything that ails Canada. Anybody who believes this is living in a fool's paradise. There may be a case for having a Senate constituted on a popular basis, i.e., through election of its members, but we do not need a second House of Commons.

It is our view that the Senate is nothing more than a political junkyard filled with party hacks. The best thing for Canada would be the demise of the Senate. The only checks required for the House of Commons should be the Constitution and the Charter of Rights and Freedoms. Indeed, if we are going to put reform of our parliamentary institutions on the agenda, then we should be focusing our efforts on reforming the House of Commons.

In terms of our views, the views of the Brandon and District Labour Council on the Constitution, we would make the following recommendations:

(1) Quebec is distinct from the other provinces in Canada by virtue of its history and its linguistic and cultural traditions. Therefore, we agree with the idea that changes should be made to the Constitution that recognize and accommodate the distinctive character of Quebec.

More specifically, we would suggest that changes to the Constitution be based on Quebec's original five points and that any concession on powers be restricted to Quebec; Quebec be given a veto over future constitutional change within the context of the seven-province formula, i.e., Quebec plus six other provinces representing 50 percent of the population of Canada; Quebec be explicitly recognized as a distinct society but that the distinct society provision be subordinated to the Charter of Rights and Freedoms, and that must be spelled out very, very clear.

Quebec may object to the last point but Quebec and other provinces would retain the power to override the Charter. The difference is that each time the override is used it will have to be justified to the people of Quebec or any other province and the segments of the population whose rights are affected by the override. These points should also be acceptable to the leaders of those provinces who justified their support for Meech Lake on the grounds that it was

imperative that we bring Quebec into the Constitution.

(2) The interests and aspirations of Canada's aboriginal peoples must be addressed in the Constitution. We have no specific recommendations to suggest here, other than that the people best able to deal with this question are the aboriginal peoples themselves.

* (1350)

(3) Any changes to the Constitution must address in unequivocal terms the issues of the federal Government's spending power, the federal Government's obligations in shared programs such as medicare, Canada Assistance, post-secondary education and so on and the issue of equalization payments. As we see it, this means that the federal Government's right to use its spending power to establish national programs with national standards must be explicitly recognized in the Constitution. Any constitutional reform must enhance the ability of the federal Government to set and administer policy that is meant to benefit all Canadians. Reform must enhance our quality of life, not diminish it.

It be explicitly spelled out that once a federal program is established the federal Government cannot unilaterally either abandon the program or reduce its financial obligations to the program.

All amendments to the Constitution must not infringe upon the basic protections for Canadians contained in the Charter of Rights and Freedoms.

The concept of equalization payments be enshrined in the Constitution.

(4) Any changes to the Constitution should deal with the section dealing with the right of association. Labour currently has the right to associate to form a union, but we do not have the right to bargain collectively or the right to strike. This belittles the constitutional right to associate and it must be changed to make the right to associate significant.

In addition, we believe it important to clarify within the Constitution the federal Government's responsibility for managing the Canadian economy in the interests of the Canadian people and that it be directed to use such powers to promote economic justice, to reduce inequalities and eradicate poverty, to increase democracy in the workplace and in society, and to prevent environmental degradation.

This completes our submission. We recognize that you have a formidable task ahead of you. These are complex issues with far-reaching consequences that will affect not just the present generations but future generations as well. We would ask that when you are preparing your report and formulating your recommendations that you be guided by the principle that the Constitution is designed to serve the interests of the population of this country and not the ideological bias of whatever Government is temporarily in office in Ottawa or the provinces.

Thank you.

Mr. Chairman: Thank you, sir. Questions?

Mr. Carr: Yes, just one quick question if I could. You say that changes to the Constitution be based on Quebec's original five points. One of those five points was a veto for Quebec. Then in the next clause you say that Quebec's veto should be only in the context of the seven provinces formula. Which is your position? Should Quebec have a veto or not?

Mr. Martin: Quebec has the veto that is outlined in our brief: that it be on the amending formula, that it has to be with the six provinces and 50 percent of the vote. It also has a veto right now on certain constitutional things which it has to take, and it would have to justify it to the people of Quebec, and it has already utilized that provision.

Mr. Carr: Right. I understand that, but one of the five original demands that you referred to was a veto for Quebec.

Mr. Martin: Yes.

Mr. Carr: What your brief says is that we should give Quebec those five original demands.

Mr. Martin: I will explain it further underneath. Oh, I see. Okay. Sorry.

The five demands, but I do not think it should on that one point, that it should have explicit veto over any constitutional change.

Mr. Carr: You think we should accept four of the five demands.

Mr. Martin: Four with amendment to five.

Mr. McCrae: In the same area, Ross, you spoke of overrides having to be justified to the people of Quebec or in any other province and justified to the segments of the populations whose rights are affected. What do you mean by that? What form would that justification take?

Mr. Martin: Well, right now you can override the Constitution, the laws that are passed, but you do have to justify it as political people, as political Members, you have to justify that to the population. If

they disagree with that override, then you certainly can be thrown out of office.

Mr. McCrae: That is the justification; that is the accountability you are talking about; that is democracy.

Mr. Martin: That is the justice.

Mr. Bob Rose (Member for Turtle Mountain): On page 4 you refer to it—indeed, if we are going to put reform on our parliamentary institutions on the agenda, we should be focusing our efforts on reforming the House of Commons. Besides not electing Conservatives anymore, how do you refer to your preambles there? How do you visualize reforming the House of Commons?

Mr. Martin: Right now we like to use the words that the representation is based upon population, and there is not a tremendous amount of truth to that, because provinces of varying degrees have different representations based on population. We have differences within provinces but perhaps—and I realize this is a very complex issue—provinces such as Manitoba could have more representation in the House of Commons, provinces such as Saskatchewan.

It seems strange, I believe Prince Edward Island has four M.P.s. You know it is a very small province with a small population base. There would have to be some realignment so that western Canada actually has a greater voice in the affairs of the nation. I do not have any secret formula for it, nor do I have any specific recommendations except that I think western Canada deserves a greater voice within the House of Commons.

Mr. Rose: I think that is an interesting point. So often we talk about reforming the Senate and all of the things that we may do with the Constitution. Very rarely do we talk about reforming the actual House of Commons.

Mr. Martin: I think it is the House of Commons that needs to reform, not the Senate. I think I made it very clear. It needs one major reform.

Mr. Carr: If I may just follow up for a minute on Mr. Rose's last point, you are saying that the vote from a Manitoban or a person living in Saskatchewan should be worth more than a vote from a person living in Ontario.

Mr. Martin: Basically, that is probably the point. It would be worth more. I believe Prince Edward Island, with a very small population and four Members, their people, their vote means a lot more than someone, say, from a large centre in Ontario.

Mr. Chairman: Mr. Rose, if these thoughtful proposals that you have made with regard to discussion that will take place involving the 11 Parties—the 10 provinces and the national Government—and proposals which I think you have carefully considered regarding what might be changed in our relationship with Quebec, are unacceptable to Quebec, then what?

Mr. Martin: Well, nobody can determine whether or not they will be acceptable or unacceptable to Quebec. They are on their own agenda right now, but I think it is a way of possibly bringing Quebec back into the Constitution and not only that to keep Quebec within Canada. I do not think any reasonable person wants Quebec outside of Canada. They are Canadians and I strongly believe that their population wants to be part of Canada.

I realize there is a lot of political manipulation at this time. I would hope that they would look seriously upon this, and we will have to take it from there. I do not know; I do not have any secrets, but I think it is a way. If they do not want to stay in Canada, then of course they will determine their own destiny.

Having said that, I think there are other major issues that have to be addressed, and one is where do people fall within the Charter of Rights and Freedoms? Is the status of women less than other people in Canada? What do we do with aboriginal peoples? These things are very serious and have to be addressed. There are other things other than just Quebec contained in here. If we are going to change the Constitution, then I think that we should change the parts that we can so that there is some justice in Canada. If Quebec leaves, then Quebec leaves, but we still have the other issues that have to be decided in a rightful way.

Mr. Chairman: Thank you very much, sir.

Mr. Martin: Thank you. I appreciate the opportunity to appear before you, unfortunately I have to go back to work so I will not be able to stay, but I will certainly be reading more about it.

* (1400)

Mr. Chairman: It is our pleasure to have had you, thanks again.

Mr. John Green? Gerald Whetter? Good afternoon, sir. We have your written presentation and thank you very much. Please proceed.

Mr. Gerald Whetter (Private Citizen): Thank you, I

am very pleased to have this opportunity to meet with you, the Members of the Manitoba Constitutional Task Force. What appears to be unfolding in our country in the post-Meech era is a big chess game of negotiations. I feel that it is very important for Manitobans with a broad perspective be there to participate.

With the publication of the Quebec Liberal Party's Allaire report, the discussions will become very focused. There are the areas of control for Quebec, for Canada, and those to be shared. This report is saying that there will be 18 months—or I understand possibly up to 23—for talks before the next referendum. So again we will be working within a time frame.

It is obvious that there are many issues that will need to be discussed. Follow up to the utopian dream of bilingualism is a concern. Quebec wishes to be unilingual French. New Brunswick is bilingual. Perhaps the rest of the country should be unilingual English, except where numbers warrant use of a different language by the municipality or the city. Interpreters could, quite likely, make the connection. Even if Quebec were to leave Canada, we would still have language concerns because of bilingual New Brunswick.

Changes in the Senate are requested by many. An elected Senate would certainly be more connected to the people, but a stalemate could still occur because of the different Parties in power in the House as opposed to the Senate. Perhaps Party solidarity in the Senate should be ruled out. Could all votes be free votes so there would be less chance of that deadlock?

There are many areas of concern. We have seen those listed by Allaire. In a couple of months there will be another option or options raised by Belanger-Campeau and, certainly, following that Spicer. The desire for major change has certainly been raised in Quebec. The media is making it clear that the choice for a growing majority in the province of Quebec is for sovereignty.

Exactly what does that word mean? Does it mean total independence or self-determination? If we assume it means total independence, then some are tempted to say let them go. I do not want to see that happen. I understand that Quebecers feel that they do not get enough from Canada compared to handouts to the West or the Maritimes or Ontario. However, we in the West feel equally deprived and see the problem the other way around. Perhaps those feelings exist in all regions. This was pointed out to me by our M.P. Lee Clark.

It seems that we all do a lot of complaining but really have a lot for which to be thankful. Our standard of living is good. Our medical care is available to all, and we have so many freedoms that we just simply take for granted. As a nation, we have had an excellent reputation as peacemaker since the 1956 Suez crisis. Our country is a valuable heritage for all of us.

I was angry with Quebec's use of the notwithstanding clause to override the Supreme Court decision against their sign law, but then that was tempered by the realization that we Manitobans had some responsibility in that clause being there. It happened at our Premier Sterling Lyon's insistence. Just because I was angry does not mean that I want them out of Canada. Just like in the case of family disputes, issues can be overcome if we are prepared to talk honestly, but talk we certainly must.

We need to work very hard to prevent the breakup of this country. It seemed like the time leading up to the Meech deadline, June 23, 1990, was a critical time for the country but, in my opinion, next year will be more significant. I am convinced that if Quebec were to become totally independent creating no land connection between the western part—in other words, the Prairies, B.C. and Ontario and the eastern part, the Maritimes and Newfoundland—that we are certainly going to have a problem.

That kind of a situation happened with East and West Pakistan, the capital Rawalpindi or Islamabad is in West Pakistan, but East Pakistan and the people of that portion of the country thought that they were always getting the short end of the stick. So they eventually got mad and separated and that country is now two countries, Bangladesh and Pakistan.

Personally, I think the same thing would happen to two parts of Canada separated by Quebec, but at the same time there would be a tremendous economic temptation to join the U.S. I for one do not want to become a part of the U.S., even though I believe public relations shown by business and service personnel in that country are second to none in the world.

I notice it mostly in the areas where myself and our family trade have spent time when we are on holidays, and that is in the restaurants, the hotels and the entertainment industry. I know from talking to others in this community who deal with business people down there that the same thing exists. They are

fantastic people to deal with.

It bothers me that our family has not spent more time in the province of Quebec. We have taken holidays elsewhere and have neglected to visit there. Our high school students have gone on trips to Europe but have not taken the time to visit Quebec. I wonder how many other high schools are in the same boat.

Why have we overlooked that part of our country? I do not know how Quebecers feel except through what I see or hear in the media and what I hear from friends. We have some close friends who have lived in Quebec and quite possibly will live there again, but certainly have close family living there.

Quebec obviously felt rejected by the failure of Meech so the status quo is not an alternative. Our friends tell us that the minds of Quebecers are already out of Canada and that we had better get used to the idea. I hope they are wrong.

Meech raised the ante, and so it is going to be harder to pull back from the rejection that Quebecers must feel. Perhaps there is a middle ground, something that the rest of us want as well. We, too, might want a smaller bureaucracy at the national level, particularly if the alternatives seem worse. Self-determination would mean a looser form of Government, I think, and perhaps a better one for us as well.

The sharing of power is important so that people still feel they have control or a voice in how they are governed after an election is over. Whether Quebec is thinking total independence or self-determination, it is still extending its hand to us one more time. We must rethink our past positions. Let us try to get a breakthrough on our thinking.

Our political leaders and we citizens will have to make a creative adjustment in order to live with the reality that is unfolding. We need our politicians—you people—to go beyond the party line and use the best of your abilities and integrity to bring us through the dialogue process with Quebec that is at hand. Let us not leave it to the last minute like we did with Meech and then use brinkmanship to try to pull out a solution.

Maybe we are like that, a dysfunctional family that does not talk with each other. However, it is still not too late to talk honestly with each other so we can find that common ground. Whether we split up or stay together, we need to communicate with each other. Unfortunately, if we cannot find an accommodation, then I think we will have to be prepared for a terrible collective grief process. I trust that we will not have to do that.

* (1410)

In conclusion, I just want to say that I hope we will not just let the process slide and be indifferent to it as Manitobans. We certainly have a challenge in front of us, and I believe that we can find a pathway to a better Canada in this year and 1992 if we wish.

Mr. Chairman: Thank you very much, sir. Are there any questions?

If I could just make reference to something you said on the second last page, in the second last paragraph you say, and I quote: "The sharing of power is important so that people still feel they have some control or voice in how they are governed after an election is over." Could you just elaborate a bit on that as to what that means?

Mr. Whetter: Perhaps that is wishful thinking; perhaps it will never come about, but somehow or other, I wish there was some way that our M.P.s or MLAs, and probably senators as well, could maintain a communication with the people in the constituency after the election.

I think we found with the Meech Lake situation that there were a number of us out in rural ridings that really wanted to be able to communicate with our M.P. and found that he was very involved in the day-to-day activities that were going on, yet he certainly took the time to come, but we would have liked to have seen more of that, particularly with the subject that was so important as Meech. That is an example, and I think there are countless situations that unfold on an ongoing basis. Even after we are through this constitutional wrangle, I think if the communication process could continue to be two-way, either through coffee shop types of meetings or town hall meetings in various towns in the constituency so that people would have that opportunity to exchange with the rep, that would be a move in the right direction. I do not know if that answers it.

Mr. Chairman: Yes, sir. It certainly does. I wondered whether you were referring to the more formal instruments like referendum and recall and so on, but I see you are not. You are referring to the informal and probably much more meaningful exercise of continuing communication with the Member who is your representative either in Parliament or the Legislature.

Mr. Whetter: Part of the reason I put that in there is because, with the communication that is obviously

going to have to happen in the next year and a half, I think it is going to be vitally important that sort of thing happens. Of course, it puts a tremendous onus on the MLAs and M.P.s, but maybe we need it now. I think we do.

Mr. Chairman: Perhaps some very fast-changing opinion could be evident in the course of the next 18 months, as events move quickly from one place to another, so therefore, that contact would be even more significant, I dare say, in your mind.

Mr. Whetter: It would be. The role I see those meetings taking is that the representatives would have an opportunity to share their points of view and perhaps try to get us on board with what they are thinking, because it really seemed to me that we missed a tremendous opportunity during the Meech situation when, for instance, we had even our Prime Minister here in Brandon. Rather than spend the time on Meech, which was the main issue of the day, we spent it on another issue.

Mr. Lathlin: Thank you for your excellent presentation, Mr. Whetter. I was quite intrigued by your comments about, you know, you were troubled somewhat by not having visited Quebec. Our families have never visited Quebec, yet we send our students over to Europe to do whatever needs to be done over there. The question is, why?

I agree with your statement that in order to understand each other we have to dialogue in such a fashion that where it is not a situation of winning or losing but that both groups understand and that both groups come away in some way having won something even if it is only to understand each other a little bit better. That is what I like about your comments because you see aboriginal people have been saying exactly the same thing.

I went to your educational institutions. I was converted into Christianity, and I learned—and when I say you, I do not mean you, I mean the larger society—your values, but while I was doing that, it took something away from me as an aboriginal person. I almost lost my language, for example. Now I am starting to understand again what the drum means, what the eagle feather stands for, what sweet grass is all about, what the sweat lodge is all about.

You see all of those things I lost because it was only a one-way street, there was only a one-way communication and that is why I am kind of intrigued by your comments about—yes, I agree with you, we should visit Quebec. I have visited Quebec quite a few times myself, and I for one do not have any great difficulty in what Quebec—you know the bottom line of what Quebec is trying to do and that is to maintain their culture, because that is what aboriginal people are always aspiring to do as well.

It does not have to happen—you know, like when we go to visit Quebec it does not mean that we have to lose our culture, language, history, whatever we have. The thing that I want to emphasize is the two-way street. I do not want you to learn Cree, for example, but I would want you to at least try to understand just as you are trying to understand the Quebec situation. I think that message is important, and so because of that I have recently started studying other ethnic groups.

In spite of what I have gone through in my life as a student and as a working person, I do not have anything against anybody. I do not have anything against the French, because I understand what it is that they are trying to do.

I do not really have a question for you. What I just wanted to do was to reiterate the importance, and the significance of dialoguing instead of sniping at each other all the time, because only that way can we begin to understand each other.

I thank you very much for your comments.

Mr. Rose: I appreciate those comments. I also would like to congratulate you on your presentation. I think it was an excellent one and it is nice to see that there are some people concerned about our country. I guess this is what this is all about.

I want to get back to what you were suggesting about your elected representatives, your M.P.s and MLAs, becoming more involved or conversing more with their electors. You and I come from similar backgrounds, so you will understand what I am saying.

* (1420)

It seems to me that if I were to call a meeting tomorrow in some of our rural areas to discuss the safety-net programs, for example, a bread-and-butter issue, and a meeting that evening to discover constitutional issues, that I would have a much greater turnout at the bread-and-butter issue. Could you comment on that? Am I wrong in thinking that? As an MLA should I be trying to set the agenda for what we think is important, or should we be trying to respond to what I think the majority of my constituents would like to talk about?

Mr. Whetter: Okay, Mr. Rose, I guess the way I would probably respond to that is that if we as citizens knew that our representatives were interested in coming to meetings of groups of people that even we might arrange on a topic that was of interest to us, and in this case, you know, I am certainly interested in this one and there are a number of others too. If we knew that it was all right to ask you people to come to join with us so that we could get your feelings and make that exchange, really that is what I was thinking of. I have been at enough of those meetings too where it is called on an issue that is not of general interest to a large number of people, and it is always disappointing when you just get a handful.

Ms. Friesen: I noticed that you mentioned that many people are suggesting Senate reform, or some people are. I could not tell from your paper whether this was something that you were emphasizing as a major thrust of your presentation.

Mr. Whetter: I am not a constitutional expert. I have read the task force report of the previous provincial group, I have looked through the federal one, and I have tried to keep up to date on what is happening in the media vis-a-vis comments on the Senate. I just had those few feelings that I wanted to offer with the emphasis on. If reform takes place, I really cannot see where we are going to solve all our problems with the Senate.

Ms. Friesen: What I was trying to get at—I sensed an ambivalence there. You seemed to say that, yes, stalemate could occur, and if it is a reformed Senate, it has to be on a nonpartisan basis. Am I sensing that right?

Mr. Whetter: Yes. I would like to go to another—to talk about that later on. Quite honestly, I did not get the package with the listed areas that we were to zero in on until I came to the door, even though Susan had told me on the phone a couple of days ago that I would be getting one in the mail or I could pick one up at the municipal office. So really I have not given that as much thought as I would want to before I was forced into making definite comments.

Mr. Chairman: Thanks very much, Mr. Whetter.

Mr. Whetter: It was a pleasure. Thank you.

Mr. Chairman: William Rolston. Ronald Simpson.

Good day, Mr. Simpson. I think we have a written presentation from you, sir? Thank you.

Mr. Ronald Simpson (Private Citizen): Yes, I am sorry I was not able to get it typed. I just finished writing it out about eight o'clock last night, so I did not have a chance to do any more than that.

Mr. Chairman: Not a problem at all.

Mr. Simpson: I am pleased to be here, too. Mr. Chairman, Members of the Manitoba Constitutional Task Force, I am appearing today as a private citizen, and as such, I wish to express my appreciation to those responsible for setting up and organizing this task force. My thanks also to you, the Members of the task force, for your work and patience.

Before I had written this out, I did not know you were even as patient as you are, so I think you have been doing better than I had hoped. I hope our concerns can be successfully carried to the next round of constitutional talks, if and when they are held.

I believe the Premier of Quebec has stated on at least one occasion that he will not attend any further talks with the other nine provinces, but will only talk with Ottawa alone or with Ottawa and possibly a few of the provinces.

We should all be agreed that no constitutional talks between Quebec and Ottawa alone can take place. If any further talks take place, it should only be with all 10 provinces and the northern territories present. Native people should also be remembered at this time as well.

As I begin, I think we need to take note of where we are at in this business of amending the Constitution of Canada. Mr. Benoit Bouchard of our federal Cabinet is quoted in the Brandon Sun on January 26 as saying Canada must now buy Quebec back. Mr. Bouchard further claims that he speaks for a vast cross section of Quebec people.

Even more recently we have had this latest bombshell from Mr. Allaire. Mr. Bourassa has set a definite time limit, after which a referendum is to be held in Quebec. They must be quite aware that almost everyone in the rest of Canada will find these demands unacceptable.

Early in January, I heard someone on the CBC radio describe the Fathers of Confederation as a group of small town merchants who had no concepts at all on how to build a country. He may have been right. I believe very many mistakes have also been made since then. We are, however, not here today to lay blame for past mistakes but to try and minimize our future ones.

A fairly recent poll taken outside of Quebec suggests three out of every four Canadians would rather see Quebec leave than make anymore

concessions to them. From people I have talked with, I believe this figure may be accurate. For myself, I come from among the three.

Our situation is not the first of its kind by any means. Portugal at one time was part of Spain and gained independence. Norway and Sweden in the past were together but are happier apart. The United States Civil War, which happened more than 100 years ago, was a disaster of the greatest magnitude. I firmly believe they would all be better off today had they each gone their own ways rather than fight that war.

Similarly, I see no point in us desperately trying to buy Quebec back, nor do we want a civil war. If they are going to continue putting such high price tags on their staying in Canada, we should counter them by applying price tags to their leaving. It could be quite shocking for them. Like any divorce and settlement case, this needs to proceed through some kind of a court.

We will need some new lawyers, our old ones have let us down. Another federal election, if possible, before the whole process gets down to business would hopefully be helpful in getting us a better deal whether Quebec leaves or stays.

We must remember here that Quebec did enter Confederation on their own free will over 120 years ago. If they now decide to leave, they just cannot be allowed to pack up everything they believe to be theirs and take it with them.

Back before 1867, Quebec was a scattering of small settlements, mostly north of the St. Lawrence River, from Montreal to Quebec City and a piece beyond. They were given a great deal of land and its resources to entice them to join. How much of this should they be allowed to keep if they go?

What about the rights of all the Native people who live within their present borders and who they always claim are a federal responsibility? Certainly after some of the events of last summer, these people cannot be left completely at the mercy of their provincial police force.

I am afraid that their leaving Canada will lead to disputes of a far greater magnitude than their staying ever could. They cannot be allowed to simply leave and cut off our land route to the four eastern provinces. As part of a leaving settlement, they should surrender everything that is within their present borders that is south of the St. Lawrence River. This area contains the St. Lawrence Seaway which is jointly operated with the United States. This would be the Canadian portion of the seaway, as I understand it. I have been through there a few times and the Canadian seaway is all within the Province of Quebec. The rest is in the United States in the State of New York.

This area should become a new province with a new name and remain in Canada. No doubt Quebec would be just as upset at some of these suggestions as we are with some of theirs. It would all probably need to go to arbitration with a third party, such as the United Nations, for example. All of this could take years and years. They might even change their mind about going.

* (1430)

Regardless of which course Quebec eventually follows, we in the rest of Canada should have a completely new Constitution. The old one is a sad collection of something designed in another country, eventually repatriated and amended piecemeal. A country's Constitution should evolve with input from the people. It should be designed for the benefit of the people and it should serve the people. Any future amendments should also be by the people.

A lot of consideration should be given to developing a new Constitution. It can be frustrating, something like building a new home on the site of an old one and continuing to live in either one or the other all the while.

My suggestions are only a rough outline and are as follows. First, I think we should abolish the present Senate. It bore the brunt of some dissatisfaction even before the Prime Minister destroyed any usefulness it might have had late last year by making those eight extra appointments that I consider were illegal. I would like to see it replaced by a new Triple-E Senate, elected with equal representation from each province, and hopefully effective. You notice that I say hopefully effective. I was a little surprised last night to hear that the Senate that we do have with these eight extra appointments and all failed to pass an important piece of Government legislation. I was a little more surprised to see some of these eight come on TV and say that they had voted against the Government legislation. A Senate is a rather unpredictable thing, and I am not just saying here that they will do everything we want either. If we have to have a Senate, I think it should go in that direction.

It would have to have limits placed on how long it could hold up Commons legislation, much as is the case in the present elected Senates of Australia and

the United States. This new Senate would not need anything like 100 Members. For a country with our population, 30 should be sufficient. Such a Senate would hopefully provide a check on some of the bad legislation that gets through the Commons, and as well might have prevented favouritism to some areas over others, such as the national energy policy of the Trudeau Government and the locating of the CF-18 overhaul base by the Mulroney Government.

It would be difficult if not impossible to get the consent of all the provinces for a change to a Triple-E Senate. Perhaps such an important question should be put to a referendum of all the people. Before I leave the question of the Senate, if it is abolished, those last eight appointees should go without any pension.

Another constitutional change I think should occur is the power the Prime Minister wields by being able to make all of those patronage appointments. Electing a Senate would do away with a bunch, but I would like to see him lose all his patronage appointments except, and I say this grudgingly, maybe appointing his Cabinet.

For selecting new justices of the Supreme Court, would it not be possible for nominations to come from judicial districts? Any judge could be nominated by his peers. A new justice could then be elected from among these nominees by a meeting of all the provincial attorneys general, who should be qualified to make good selections.

I think we should get clear of having to have some with French or British legal backgrounds, also of their having to come from this province or that. Could not judicial districts all be gathered in groups of four or five across the country, called regions, and two justices might be elected from each region? They should all be from Canadian legal backgrounds and be elected on their merits.

While we are doing away with appointments by the Prime Minister, I would suggest the new Senate might be able to select such positions as lieutenant-governors and governors general if and when they were needed. As well, I would like to see a constitutional change which would enable Government Members of Parliament to unload an undesirable Prime Minister, much like they are able to do in Britain. Members of Parliament should be accountable to those that elect them and not so much to the Prime Minister, as is now the case.

I think our system of electing people needs changing as well. This system we have, where it is possible to run almost any number of candidates in a constituency and where one can get elected on a very small percentage of the ballots cast, is wrong. I do not like the system they have in some countries. I believe Israel is an example where a Party elects Members here and there by picking up a certain percentage of the overall vote. I prefer the run-off type of election such as France and other countries have, where to get elected, a candidate must eventually receive over 50 percent of the vote.

I think a new Constitution should restore the right of anyone to own property, which was in the old BNA Act but somehow was omitted from the 1982 amendments. There should also be some clarification of the Charter of Rights and Freedoms, which seems to keep landing in the courts. Perhaps just some of the legislation needs redrafting.

Many people had concerns about the Meech amendments because of what was left out of them, for example, Native rights, women's rights, and the rights of northern territories to become provinces someday. All such concerns should be in a new Constitution.

The federal Government should have complete control over immigration. To have two immigration departments with two policies, et cetera in one country would, not only be confusing, it would be ludicrous. The same for external affairs. Two groups from Canada, along with one from all other countries, would advertise our stupidity to the whole world. National defence, international trade, equalization grants to poorer provinces and such matters should all remain a federal responsibility, much as they are now.

I think our new Constitution should give equal rights to all and special privileges to none. The only instances where I would consider special status or distinct societies would be possibly in regard to the Native people.

Now I have left to the last a constitutional item that probably should have been first, and that is the method of making any future amendments. I will argue that this idea of unanimous consent is not realistic and is a recipe for getting deadlocked. I prefer the older one of six or seven provinces with 50 percent of the country's population. A better one might be, as I suggested for the Senate reform, a straight referendum from the people with a 50 percent plus one in favour. I realize a referendum should only be used in special circumstances.

The enormous size of our national debt should be

a matter of grave concern to every one of us. Governments never want to talk about it, and they mislead and confuse people by talking about the annual deficit instead. What they really should have done long ago was eliminate the annual deficit, and they would then have been in a better position to attack the national debt. We must not lose sight of the fact that the amount of our debt has more than doubled during the time Michael Wilson has been Minister of Finance.

A new Constitution should establish definite limits for annual deficits which would be reduced each year till they could be eliminated. These should apply to provincial Governments as well as the federal Government and, of course, would apply no matter which political Party was in power.

Many more cost-cutting measures need to be practised and would be if annual deficits gradually could be eliminated.

I think Members of Parliament have been far too generous with themselves. Both their salaries and their pensions are out of line with what the country can afford. This applies to almost all salaries. No one should have part of his salary exempted from income tax, as Members of Parliament do. Here is one place that a Constitution, which decreed everyone be treated equally, should come into play.

Mr. Chairman, I have only briefly touched on the type of changes that need to be considered for this country. I hope they will all be considered whether Quebec decides to leave or stay. If it comes to pass that they do leave, then no doubt more changes will need to be made.

My first recommendation in this event would be that official bilingualism in the remainder of the country should be abolished and that there should be only one official language, which would be English. If any group wished to promote any other language they should be allowed to do so, completely at their own expense. In saying this, I refute any suggestions that I am bigoted or red-necked. I am only being realistic.

While my only language is English, I will say here that when one set of my great grandparents immigrated to this country their only language was not English. They spent their remaining years here without learning it. Their family all learned English however, and the old language was forgotten. With the shrinking world we inhabit today, I believe that will be the fate of many more of its languages. There is so much more new information for our young people to learn and grasp every year.

* (1440)

Learning a second language makes sense but only if it can be truly put to good use. I do not believe this will be the case with French. For example, we have all the countries of Europe coming together in the Common Market. They need a common language at their meetings. Do they mostly use French or English? Soviet Jews immigrating to Israel find they have lost their old Jewish language after so many years in Russia. Most of them know English however and are able to communicate with their new countrymen.

I am told the Pasteur Institute in Paris, France, now publish all of their findings in English. The Chinese are learning English as fast as they can to surmount their difficulty of communicating within China because of so many different dialects there. I could go on.

So why do we continue spending money we do not have, translating all of our laws and other documents into French, when no one ever needs to pick them up and read them in French? Why do some parents place their children in French Immersion schools? Simply because they have been frightened into believing that there will be no Government jobs in the future, except to those who are able to speak French.

I would suggest that quite a portion of the debt I have mentioned is due to all of the money we have spent on bilingualism, biculturalism and all of the other things we have done to try and appease Quebec. I say, enough of this nonsense. We can no longer afford such luxuries.

Mr. Chairman and Members of the task force, I thank you for your patient attention. If there are any further questions, I will attempt to answer them.

Mr. Chairman: Thank you, Mr. Simpson. Any questions?

Ms. Friesen: I notice that you spend a couple of paragraphs talking about Senate reform, but that you also said in your presentation, if we have to have a Senate. I wondered if you had considered abolition, or was I misinterpreting it?

Mr. Simpson: Well, I had suggested that eventually, maybe because I knew, I am fairly confident, the provinces will not agree to a change in the Senate when one of them has the veto or any one has the veto. I had suggested that maybe there would be some way we could decide by a referendum. Probably the referendum should go: Do we want a

Senate, and if we do, what type of a Senate? Let the people decide.

I would be quite happy with letting the people of the whole country decide that question, because I have my doubts frankly, even as I have already said, there is the Senate that Mulroney has stacked. It still voted against its Government, or they lost their vote.

Mr. Chairman: Thanks very much, Mr. Simpson.

Mr. Ken Hanly (Private Citizen): First of all, I would like to thank the panel for this opportunity to appear. I wish to confine most of my remarks to the process by which our Constitution should be amended. The first part of my remarks are entitled, The Necessity of Public Input.

Since we now have the position, however, of the Quebec Liberal Party on the Constitution, the Allaire report, I will also add a few words about that at the end.

At present, our Constitution really does not involve our people at all, as a whole, in the process of constitutional amendment. A common and repeated complaint, as our Chairman no doubt knows, of the people who appeared before the task force on Meech Lake in April of 1989 was that they had been left out of the process, that their voices had either not been heard at all, or if heard, they were simply of no effect. I think it is this situation that must be remedied.

Our fundamental law, our Constitution, should not be worked out by the boys, using that now infamous phrase, behind closed doors away from public view and beyond public control.

The time has now come to enshrine in our Constitution two basic structures to ensure that the Canadian people have real control over the content of the Constitution. These structures are: first of all, public hearings throughout the country prior to the debate and voting on amendments by the federal Government, the provincial Legislatures and the Senate; secondly, public referenda on any legislated changes to the Constitution to ensure that only those changes that are ratified by a majority of the population in a referendum become the law of the land.

After this, I just note the particular sections of the Constitution that would have to be amended. I do not think I should read that.

First of all then, why should we have public hearings? It seems to me that public hearings, if they are properly designed—I am not sure I include the Spicer commission in that regard—and if properly carried out, are an invaluable tool for obtaining public opinion on proposed constitutional changes.

Not only are politicians given an opportunity to engage in a dialogue with those of the populace most concerned with change, but in many instances difficulties not detected by politicians and their bureaucratic aides may come to light.

In these hearings all those with particular interests are able to set forth their arguments in the full view of press and the public rather than confining themselves to the informal and mostly hidden process of lobbying. The fact that such hearings may very well attract a myriad of interest groups is, it seems to me, an argument in favour of such hearings rather than a fault as is sometimes alleged, for they do provide a focus for debate, and they help to reveal in public fora the priorities and specific needs of these groups in a way that makes them public and subject to scrutiny and evaluation by the people and the press.

The very process of public hearings itself creates political activity and debate of the sort which is healthy in a democratic society. How many times does one hear the complaint that people elect their representatives and then are unable to play a significant role until another election rolls along several years in the future? Hearings provide the public with another means of making their voices heard and as such should be applauded by those who believe that democracy means extending people's political power. I think the Government of Manitoba should be congratulated in that it is required to hold hearings on constitutional change.

Secondly, why referenda? Now, Meech Lake has shown us how 11 of our representatives with legislative majorities can attempt to impose upon us basic structural change even though such changes may never have been part of an election program and have not been discussed by the vast majority of people.

Of course it is easy for politicians to agree to public hearings. Well, perhaps I am overestimating things here. No doubt some of them consider even the formality of having hearings as a token gesture which is perhaps a waste of time. Some of them may think that. Presumably none on this panel would think that way.

That Manitoba's required hearing process happened to foil our leaders' schemes is just a fortunate result of the particular time constraints placed upon ratification by Quebec. Let us not forget

that both the Manitoba Government and the Opposition Parties, each and every one of them, were united in an agreement to ultimately force Meech Lake through our Legislature against the wishes of the vast majority of Manitobans of all political stripes.

Although the Manitoba task force adopted a number of recommended changes to Meech Lake that had very wide public support, the people's wishes in this regard were bargained away, supposedly in the interests of national unity. Unless the people have some final check upon the politicians, this may occur again in the future.

Now we have more hearings and an expensive what I call federal circus, which is creating travel opportunities, expensive chairs and high per diems for a hand-picked group of innovative charlatans. Let us not be fooled. To really put power behind public hearings, we cannot allow the politicians to provide a forum for people to express their ideas and vent their feelings and then go on and do as they would have done anyway. Without a final referendum, what politicians change as a result of hearings is entirely up to them, but with referenda, politicians will be forced to include in legislation those changes which have overwhelming support and exclude those which are overwhelmingly opposed.

* (1450)

This concludes my argument for public hearings and referenda, and I will now turn to a few remarks on other matters, particularly the recent Allaire report. This report represents the position only of the Quebec Liberal Party, and it still remains to be discussed and ratified at a policy convention in the near future. There is coming, as has been mentioned before, the Belanger-Campeau report, which is likely to be even more nationalistic. I do not think anybody thinks that it is going to be milder in its tone than this one.

In my opinion, the powers of the central Government, if one followed out the recommendations of this report, would be so derogated under the suggested system that any possibility of using this state to ensure national standards, to develop effective national policies, becomes remote as more and more powers devolve upon the provinces. This change would be likely to make regional disparities even worse than they are now, and it is going to be particularly bad for poorer provinces such as ourselves.

As happened with Meech Lake—and I think this should be made clear that the problems of Meech Lake are not all created by Quebec by any stretch of the imagination—some provinces will just jump at the chance to ask for the same provincial powers as Quebec. This will result in all national integrity being lost. This is particularly so, given the character of our present national Government that seems quite ready to give away its federal powers.

The Mulroney Government has shown itself to be completely, as far as I am concerned, without any sense of national unity and national pride. This is a Government which through the free trade deal has integrated our country into a North American economic zone which provides a level playing field, as it is put, for big business and big capital and is part of what is now called the new world order. That new world order of course is dominated by the United States of America.

This is evident too in our foreign policy. Our foreign policy now slavishly follows every nod and wink of our southern neighbour, going so far as even before the United Nations did pass a resolution to use force against Iraq, the Canadian Government had suggested that the United States might do that even if this did not come to pass. That is how slavish we are in our relationship to the foreign policy of the United States.

This is a Government which has turned us away from our traditional role of peacemaker. It is impossible for us to be a peacemaker in this situation now, and it has sullied our reputation as the one country that has always been there at the end to make peace and not war.

As for the Quebec proposals, these new proposals in my opinion have to be rejected out of hand, because it makes a federal Government which would not have any effective powers. I think it is clear—it should be crystal clear to us at this time, and polls show this—that the majority in Quebec now wish independence. That is what they are opting for. It is much better that this be granted and without malice or rancor rather than going on trying to bamboozle not only those in Quebec but in the rest of Canada into thinking that this is some "last chance." It is a last chance which is no option at all. It is a last chance only for Mulroney and our own Premiers to completely destroy federal powers in order to allow Quebec what is close indeed to sovereignty association, and in the process dismember the rest of Canada as well. This is to be resisted at all costs.

What we should do at this stage, in my opinion, is

to show the world that we are able to grant sovereignty in a civilized way through negotiation and that we can avoid the strife and hostility associated with independence movements in other areas of the world. In fact, it seems to me that talking to people, even those people who might seem to be most contrary to Quebec, have no idea at all of doing the sort of thing the Soviet Union is doing with the Baltic republics when they wish to secede from the union. I get the impression there is none of that feeling within Canada and I hope that remains.

Now, reading the Allaire report, I notice that it is not suggested there that there be referenda or hearings on changes to the Quebec Constitution, only on whether they should be independent or not. I would suggest that perhaps these matters too should be considered in their Quebec Constitution. Finally, I do agree with the report's suggestion, the Allaire report's suggestion, that the Senate should be abolished. However, I am in a quandary about this because I really want to know how those of us, including myself, who think that perhaps it should be abolished are going to do it because it has to go through the Senate. I do not know how we would get the present incumbent senators to vote themselves and their comfortable positions out of existence. I really have no solution to that problem. It does seem about as likely that we can do that as that all the provinces agree on a Triple-E Senate. It is very common nowadays to say that we ought to have a Triple-E Senate. I just do not see either how you are going to do that.

I am certain that the provinces such as Ontario, and certainly Quebec, if it does stay in the country, is not going to agree to any such thing. It seems to me that the Triple-E device is just another one of those conventional means that politicians have found to lure western voters who are alienated from the central Government. As far as having any realistic basis or even any possibility of being achieved, I would like to know how it is possible.

In conclusion, I think that Quebec should now turn its energies toward negotiating a separation, and that we should recognize the will of Quebec to be a sovereign nation because that is what they want to be. At the same time, we should continue our own discussions on the shape of our future, and whatever fundamental laws we eventually develop should be ratified by those whose lives will be governed by them.

Thank you.

Mr. Chairman: Thank you, sir. Questions?

I might, if I may, Mr. Hanly, just point out to you that there is a provision, I guess it is Clause 47, that if the Senate does not assent to a constitutional amendment and 180 days pass, and the House of Commons repasses it, that the Senate is considered to have given its consent. I suppose by that rule they could not consent to their abolition, but the abolition could take place if the House of Commons expressed a second time, and of course there would be the necessary seven out of 10 provinces that would have to give consent as well. You might want to take a look at that, Clause 47.

Mr. Hanly: Okay, thank you. That shows me that it is perhaps easier to abolish it than to have the Triple-E Senate. Is that what follows from that?

Mr. Chairman: It is not as difficult as you might think. You would need the consent of the House of Commons and the 7-50 rule in terms of the provinces. Any questions? Thanks very much, sir.

The next presenter is Mr. Charles Turner.

Mr. Charles Turner, Private Citizen: Thank you, Mr. Chairman. There are two familiar faces on the panel, and I have to apologize for my wife, Nora. She figures five days a week away from home is enough, so she is not here. You might remember, she challenged you to do your homework after the Meech Lake Accord hearings.

Mr. Chairman: Yes, sir, I remember very well. It is nice to see you back. We have your written presentation in front of us, so please proceed.

Mr. Turner: This brief will be brief, but I feel it will be factual. We are not going over the wrongs of the Government. People are well aware of the criticism, whether it is rightly or wrongly.

I am concerned over the world situation. We are getting closer to Armageddon world Government, as if our Governments are not getting further away from the people now without it getting worse. It has been mentioned in the news since the start of the Gulf situation and maybe you missed it, this thing of world Government.

In the Fourth Wilderness Conference in 1987 held in Colorado, plans were laid for control over the wilderness lands in the world, a new bank called the World Conservation Bank to replace the World Bank which would use the wilderness lands as collateral, replacing the loans now held by the World Bank of most countries of the world. These lands are all mapped out in the bulletin and include one-third of

Canada's land surface. I am just mentioning this to wake you up to what is happening so you will take a serious look at the situation at home here in Canada. Forget your petty concerns and think of putting our house in order.

* (1500)

I would remind you that a Constitution is built, or should be built, of the people, by the people and for the people, but in building, one must first have a foundation, not any foundation, but a firm and sound one. I was a builder and fully understand that what you build is only as good as the foundation it stands on. We have been over 100 years trying to come up with a Constitution, but are still working on the foundation. The foundation has always had cracks in it. You name them.

We must reinforce it with a sound money system. This gives the economy a good foundation to build on. We have not had this as it—the economy—has been built with increasing amounts of debt, both private and governmental. Money is the life blood of a nation and has to have transfusions to keep it in balance. Basically, that is what our concern is, a solid foundation to build on.

We gave you a copy of our concerned citizens of Portage-Marquette brief on the Constitution in 1980 here in Brandon. There were six other briefs all on rights. Gerry Mercier, MLA, a member of that committee, at the end of our brief said this is what we are here for. I presume Mr. Mercier—as we did and still do—believes rights do not belong in a Constitution, but in the laws of both federal and provincial jurisdictions, so they can be changed by legislation if and when the need arises. Our advice is to deal only with the Constitution.

As in your letter to us, Mr. Premier, commenting on the Meech Lake hearings, you said Constitutions do not belong to the Government, but to the people. We took the liberty of sending a copy of that letter to all the M.P.s in Canada, adding a paragraph of our own. I have some copies here of that letter for the panel.

Getting back to the Constitution, take heed what has been said above and build that Constitution starting with a solid foundation and building blocks. There must be environmental protection built into a Constitution. There must be conservation laws in it to protect our energy and resource supply. There must be the most use made of renewable resources.

The consumption of energy is the true cost of production and must be used wisely. There is human energy and mechanical energy, which is costly and puts people out of work.

There must be the elimination of waste in our economy, of obsolescence in all our manufactured goods, which is the cause of most waste, and above all full use of human energy so that all able-bodied people can have a job.

The production of the machine must be monetized so that we can consume what we produce. This can be through the Bank of Canada, getting rid of the Governor and acquiring a good manager under control of Parliament. If Parliament refuses to accept this responsibility then Manitoba could use Credit Union Central to provide the balance needed for our economy. Alberta has its Treasury Branches.

We provided three copies of "Canada can now have a Model Constitution" at the Meech Lake hearings. I am sure you read many concrete suggestions in it. That was what it was, a model to build from, by two learned men who have spent most of their lives serving their countries. I thank you.

Mr. Chairman: Thank you, sir. Any questions?

Regards to your wife. Thank you again.

* * *

The hearing took recess at 3:07 p.m.

After Recess

The hearing resumed at 3:27 p.m.

Mr. Chairman: Ladies and gentlemen, we will resume our afternoon session now.

I will call on Terri Deller. Good day, Ms. Deller.

Ms. Terri Deller (Private Citizen): Good afternoon.

Mr. Chairman: I have a written presentation from you, if I am not mistaken.

Ms. Deller: That is correct, you should have.

Mr. Chairman: Good. Please proceed when you are ready.

Ms. Deller: I would like to thank the panel for the opportunity to express my views on the future of Canada and Manitoba's place in it today.

As a citizen of Canada and Manitoba I am most concerned with the treatment of women in what is claimed to be a just and democratic society.

It was 75 years ago that some women were allowed to vote. It was only 62 years ago that women were declared to be "persons" in Canada. For far too long

women have been relegated to second place in Canadian society. Now is the time to correct that inequity and to protect the interests of women in Canada.

Our Governments must be committed to equality rights if women are to obtain true equality as persons in Canada and if we are to truly state that we live in a just society. All people must be protected equally. There should be no hierarchy of rights set up in any legislation.

It is imperative that the Canadian Charter of Rights and Freedoms be paramount in any amendment to the Constitution that nothing shall abrogate or derogate from any of the rights and freedoms guaranteed in the Canadian Charter of Rights and Freedoms. The provincial and the federal Governments must not be able to override the Charter guarantees.

In addition, if all people are to be protected by the Charter of Rights and Freedoms, sexual orientation must be included in Section 15 of the Charter of Rights and Freedoms. As well, federal and provincial human rights Acts must be amended to prohibit discrimination based on sexual orientation.

Other steps must be taken to ensure the equality of all women within Canada. Women must be actively sought out to ensure that they have an equal place in management, on boards and commissions and in the Houses of Parliament and Legislature. Along with this, there must be adequate funding and resources provided to women so that they might effectively contribute to the social decision-making processes.

To make Parliament and Legislature positions more accessible to women, the amount of money candidates can spend before an election is called and during the election campaign must be severely limited. Women have been forced to operate on shoestring budgets in all aspects of their lives. It is time men took their turn.

* (1530)

In 1987, women working full time earned 66 percent as much as men. Women doing low paid and unpaid work have enabled men to further their well-being for years. This growing gap must be stopped. There must be pay equity legislation put in public and private sectors across Canada. Equal pay for work of equal value must be the norm.

Many Canadian women and children are poor. This is not surprising when the majority of single parent families in Canada are headed by women who are not supported in their efforts to break out of the cycle of poverty.

Their choices in life are severely restricted. It is possible to improve the welfare system, to assist single mothers to obtain meaningful work, to assist in child care so that they can go out of the home to work, to maintain their dignity. That this action is not taken is a form of systemic injustice.

The federal Government, as a cost-sharing agent in social assistance, needs to legislate payment levels that at least meet and ideally surpass considerably the poverty line. We expect women to raise our children to be productive members of our society. Obviously, this is important. Let us provide effective and adequate child care and services. Let us fund child care for rural families who struggle to grow the food we eat.

Canadians have enjoyed reasonable medical service. Our Governments must not allow this to be removed but must work to improve the quality of medical care across the country. Equal access to medical care must be ensured.

Our Governments must fund preventative programming in our justice system and in our social, economic system. An ounce of prevention is worth a pound of cure, an old wives' tale, but it is time someone in the Government listened to the wisdom of this saying.

Let us refrain from sending people to jails because they are poor. The cost to our country to maintain one so-called criminal could provide a decent standard of living to that person whose only crime was that she was poor and to several other people.

The failure to provide funds for preventative programs and services for abused women and children results in increased medical costs, law enforcement costs, welfare costs and legal costs. It is apparent in this and most communities that there is a paucity of counselling service available for women who are survivors or victims of abuse, women assault, rape, sexual abuse in childhood.

The Governments have to listen to women who understand the cycle of violence. Raising public awareness is not enough. Funding must be available for treatment and prevention. Canadian society must take seriously the issue of violence against women and must take appropriate preventative action now.

This leads me to the issue of funding for war. If Canada put as much effort into funding for peace, we would indeed have a just and peace-loving society.

In the process, we would be co-operating with other countries and sharing a peaceful world. At one time, I thought Canada was respected in the world because of its peaceful efforts and its ability to talk and negotiate. This is a vision of Canada which I still hold. Our Governments must listen to women and children when we wisely say that war is not the answer to any problem. The Government must look to women for solutions.

Our federal Government must reinstate the services and programming provided by the Canadian Broadcasting Corporation. This is part of our culture and our communication link, and the removal of it does not signify a just and caring society.

Most of my concerns relate to women and to people in Canada. These concerns have been raised time and time again. It is time that the Governments of and within Canada recognize that people and funding for people is the priority. Our taxation system must be revised so the corporations and not the lower- or middle-income earning individuals bear the majority of taxes. Then these tax funds must be redirected to people projects, not to big business and corporate projects.

Women, as 58 percent of Canada's population, have little or no access to social decision-making processes. It is a priority that women be consulted in all social decision-making processes. This includes constitutional processes and reform and includes consultation at all stages and on all issues.

We are wise women. We demand an equal voice at the table where we, together with men, will make decisions which will ensure equality and justice for all Canadians. Thank you.

Mr. Chairman: Thank you, Ms. Deller. Any questions? Thanks again.

Ms. Deller: Thank you.

Mr. Chairman: Ms. Maude Lelong. Good afternoon, Ms. Lelong.

Ms. Maude Lelong (Private Citizen): Afternoon. I am thankful for this opportunity to express a few opinions on what Canada might be in the future. With such a nice name for our Chairman, I think that we might go a long ways.

Mr. Chairman, ladies and gentlemen, it would be difficult to speak on the future of this mutilated nation, Canada, without referring briefly to the past. Under the BNA Act, we are a confederation of two founding peoples, French and Anglo-Saxon, but that is what a lot of people, Westerners included, seem to forget.

Quebec got her civil law, religion and language guaranteed, but the central Government retained control of residual power. That is, all later ideas such as universal schemes like family allowance, medicare, regional disparity, agricultural assistance, things that were never dreamed of by the Fathers of Confederation, remained under the central Government, in other words, assisting unfortunate areas that fall behind the national average in their standard of living and the above universal schemes. Aid must remain under the guardianship of a strong central Government.

By the same token, unrestricted powers to tax must remain in central hands to ensure universality. It is well to remember that in the last 40 years or so of questions arising between the provinces and the federal Government, the Privy Council invariably favoured the provinces, ignoring those residual powers.

One would have thought now for instance that when the Constitution came to Canada, that would be the end of Britain sticking her nose into our business over here, but no. The Queen herself gave assent to the appointment of an additional eight senators to make sure that the GST would be passed. I can only presume that Quebec must still want third party interference when they did not sign the document now in Canada, our Constitution.

On the other hand, there was support for Meech Lake among the French because it eroded those residual powers almost out of existence. Is it not time that the French put some trust in the rest of Canada? It is no longer totally British and French. In fact, in the near future peoples of other origins and our Native population will outnumber both the English and the French.

However, let us not think that Quebec was the only assenting province against residual rights. Alberta, with her oil wealth, led the pack, and greed ruled over need. Those who believe in a strong central Government must take their stand, not politically I mean, regardless of political alliance.

Let us think about Manitoba for a minute. Howard Pawley voted for Meech Lake, but it is to his credit that he voted subject to public hearings being held later in this province. Never forget it was those public hearings that saved us from the effects of a very flawed document. Through a technicality and smart maneuvering, Elijah Harper squashed everything, but

every thinking Manitoban should have given Howard Pawley a great deal of credit for some foresight. Certainly the three later representatives welshed under Mulroney's pressure tactics.

We buried Meech Lake. Now we must look at Canada as a country united, not divided. Okay, what divides us? The West does not like knowing that we have elected a Government by Quebec and Ontario before we have even finished counting our ballots in the West. I am surprised no smart fellow has not come up with the idea of changing clock times to stop all that.

When I think of it, I think of a little boy who saw a truck stop down at the bridge. He walked down to ask the truck driver what was the matter, and he said well, my load is just a little too high, it will not go under the bridge. The little boy says, what are you going to do? Well, he says, I guess I will have to unload part of it. The little boy looked around and he said sir, if I were you, I would just let a little air out of the tires.

Now, if only Governments would listen to ordinary people like ourselves, maybe they would get a lot farther. I should not talk about air though when I talk about Governments, should I?

Although some do not like minority Governments, that is when some of our most progressive legislation has been passed—pensions, medicare.

* (1540)

Others say representation by population is not altogether fair. As the population migrates to the cities, urban voters control by power of population. Vast areas are barely represented. Provinces like Quebec and Ontario can rule the roost, but I do not know. I shudder to think what might happen if we tamper with rep by pop.

Well, then let us search for some positive answers. Abolish the second House, the Senate, then set up a new House similar to that of the United States, but let us pay attention to history. In the first place, their Senate was appointed, but that did not work. Now there is an elected Senate with equal representation from each state. In Canada, of course, it would be a province. Each senator sits for a period of six years but in the rotation of one-third leaving every two years. Bear in mind, this Senate is elected. Each province has equal representation, and of course we hope it is effective. Who knows?

Let us look at what could have happened in Canada if we had had a Triple-E Senate even for the last five years. An elected Senate would hopefully have squashed that destructive sell-out to the United States, the so-called Free Trade Agreement. Free to the Americans, not to the Canadians. Certainly the GST would be somewhere in the vicinity of Meech Lake, an ill-conceived dream that will become a nightmare especially in these depressed times.

In the future, the House of Commons would not be able to sell off Crown corporations at random with a Triple-E Senate. However, we have to take the chance that a new Senate might also stall some good legislation. However, there are other ideas, and it just might be a good idea to have a referendum prepared, in layman's language, by all political Parties, in the form of a questionnaire to decide what to do with the Senate.

Many citizens are totally disgusted with the whole parliamentary procedure, the grandstanding, the use and the abuse of Orders-in-Council. For instance, why should Charlie Mayer be able, dictatorially, to remove oats from the Wheat Board jurisdiction? I do not know. How important must Members of Parliament feel when a country can almost be ruled by Orders-in-Council and the few who sit in Cabinet? Someway or other, the American backbenchers seem to have much more to say than our Members of Parliament, so probably both Houses need overhauling. Get enough women in there we might just do that.

Much more would be accomplished with less rhetoric if in Canada there was a set election day, say every four years, maybe some time in October. Polls of possible Party popularity should be outlawed possibly the last 10 days before an election date. The way the federal Government acts today, the power to impeach or recall said representative would not be a bad idea for any constituency that feels badly represented. Sometimes you vote somebody in, heavenly days, and you do not recognize them after they get there. Possibly the power of the buresucrats connected with the federal Government should be looked at and overhauled as some suggest.

In my haste to write this brief, I omitted one very important matter, the entry of new provinces into this dominion. That should be dealt with by the federal Government and the territories in question. The provinces should not be included in that debate, in my opinion.

Lastly, in overhauling the present Government structure many indignant voters across this country do not feel that either the M.P.s or the senators, but more especially the senators, earn or need the

exorbitant salaries—tax-free, you know—or worse still, the overwhelming amount that will be paid out monthly in pensions.

Why place this tax load on our younger people at this time, least of all in these depressed times? That is also a suggestion to put with others for lowering the national debt. Not much, you say, but every million deducted counts.

I know Meech Lake is in the past. We have now been presented with a lengthy paper from Quebec, what they would like or would negotiate. Its contents we do not just know as yet; however, although many Canadians do not want Quebec to leave Canada, we cannot give up the rights to a strong central Government or, worse still, total domination of this nation by one province, Quebec. French language just is not an issue with me, and that is not because of my name because I have no French blood. One can only wonder what will happen to their language if they leave us and are taken over by the United States. I have a little fear there.

Yes, we want Quebec to stay, but not at any price. Let us have no veto power for any province. If this union of Canadian provinces is going to work, we as provinces have to be willing to share equitably and help one another; otherwise, we will just become American states—right where we are heading under the Free Trade Agreement.

Ladies and gentlemen, there is something more devious than meets the eye in all that is happening today, small businesses going broke, farmers going bankrupt, unemployment rampant. Sometimes one wonders if these factors are not more important than, say, the breaking up of Canada, because these small businesses, farmers, the unemployed are people. Banks and Government have long ago lost sight of people. Our bank manipulates in dollars and cents and the profit motive.

Now complaints about high interest rates go unheard. The Government takes no responsibility for that, and the banks are entrusted with curbing inflation, even though curbing inflation with high interest rates is like putting a cord around a little baby's neck and pulling it, a little tighter, and a little tighter. Gruesome, is it not? That is what we are going through, the gradual strangulation of that very sector of our population that keeps this nation alive, the farmers and small business, all this while the big five banks double and triple their profits almost embarrassingly. They pay income tax at the rate of a worker making about $15,000 a year. In my opinion, it is just as important in Canada today to bring the banks to heel as it is to reform the Government.

Ladies and gentlemen, you may think that this preamble about banks is a waste of your time, but you are wasting my time if you do not listen and try to do something about our fiscal policy by changing the law in our new Constitution.

There should be much greater public disclosure in banking. Why so secretive? The Bank of Canada Act must be revised to place responsibility for monetary policy with the House of Commons and the Senate. Then announcements about interest rates come from them, not the banks. The present monetary policy is both irresponsible and disastrous. Gradually, the banks have lobbied and achieved power greater than Government. I have read this and studied it, and I left it all out because it would make it too long. How? Well, I am not just sure, but maybe by giving $50,000 a year to both the PCs and the Liberals might give them a big lift. Who knows? Maybe correcting the errors in our present monetary policy might just bring the whole nation closer together.

* (1550)

I could not close without some mention of women's rights and Native recognition. Women have fought long and hard for the little that they have achieved so far. There is now more representation by women in Parliament and elsewhere, but the Charter of Rights must be kept ever before us.

Now, as for the Native population, well, they have proven that they can speak for themselves. So let them serve on those boards pertaining to Native affairs. We may not like all their demands, but at least give them the consideration and the respect that they deserve. The Natives have some very positive ideas about saving the environment. I like them, but also about using nature's gifts to us wisely, a factor that we could all take to heart.

In closing, may I remind you that I hope we all learned something from the Meech Lake discussion. Positive answers to our national problems, pooled as we have done today, hopefully, that will be of some benefit. In that light, expressions for change in our governmental structures—the House of Commons, the Senate and the banks—are very important. We need, though, above all, a strong central Government.

Manitoba is a living example of how Natives, Mennonites, Ukrainians, British, you name it, every

nationality you can mention, live together harmoniously. We have a very co-operative French population, and we have Members of Parliament from the many nationalities. May this mosaic of nationalities, living harmoniously, be an example to the nation. Thank you very much.

Mr. Chairman: Thank you very much, Ms. Leong. Any questions? Thank you again.

The Reform Party of Canada represented by Dr. Edward Agnew. I may have misrepresented the extent to which you are speaking for the Party, sir. Is it for the national Party? Was I correct in saying that?

Dr. Edward G. Agnew (Reform Party): It is for the local Brandon-Souris Constituency Association.

Mr. Chairman: Thank you. Good afternoon. Please proceed.

Mr. Agnew: Yes, good afternoon. Thank you for the opportunity to speak with you today. Certainly, I have enjoyed the presentations so far. It seems that all of you are very wide awake and listening intently, and that is something that is very encouraging.

The very process of constitutional reform must be revised to ensure a bottom-up approach. The elitist, top-down type of constitutional reform is a non-starter to every Canadian. Our western-based politicians should make it very clear to Mr. Mulroney that he has no mandate whatsoever to do any kind of unilateral, quasi-constitutional deal making with Quebec or any other province.

The Reform Party proposal is to have a series of constitutional conventions sponsored by the provinces. I congratulate Premier Filmon for this afternoon. If the provinces would sponsor the constitutional conventions, delegates would attend those conventions elected by the people to develop the needs and aspirations of the people in that area. These would then flow to a national convention for reconciliation and rationalization. The results would be referred to all Legislatures for their ratification and then followed by a return to the people in a national referendum for final approval. That makes sense to me.

Thus the people of Canada become involved not merely as an ex post facto rubber stamp but as authors of their country's new Constitution. The region's voters must insist on their political leadership doing more than paying lip service to their constituents' constitutional goals, and that they must not buckle under to Ottawa's threats and bribery. That is difficult.

The referendum on the Constitution would be structured such that each clause, in order to be approved, must pass a simple majority but also must be accepted by a majority of the provinces and territories. Thus this double majority would be necessary for each clause in the new Constitution, and it would ensure that Ontario and Quebec do not determine the results of that referendum.

The old idea of two founding nations, the English and the French, is inappropriate and does not describe the reality of the regions outside of central Canada. The Reform Party rejects the idea of the two founding nations theory. The two founding nations theory is unfair to a vast majority of unilingual Canadians, and it does not reflect the aspirations of Canadians nor the demographic reality of this country.

Fairness and equality must be the fundamental basis of any constitutional reform. All Canadians must be treated equally without regard to race, language, culture or region of residence. It flows from that all provinces must be treated equally.

We believe that each region and the people of those regions are entitled to fundamental justice. Everyone in Canada should benefit equally without discrimination from participation in Confederation and from the programs and expenditures of the Government of Canada. We believe that the interest of minorities and the people of under-populated regions of Canada should be safeguarded by constitutional guarantees and parliamentary institutions which effectively balance representation by population with regional representation.

We, therefore, advocate the inclusion of the Triple-E Senate as mechanism for ensuring regional equality. We are the only federal political Party with the political will to make this type of Senate a reality. We are the only federal political Party to take the time and make the effort to draft a constitutional amendment prepared by legal experts and ratified by Party Members in May of 1988 for Senate reform.

We wish to see regional fairness tests written into the Constitution. The Reform Party supports the analysis of the regional distribution of expenditures and revenues of all federal Government policies and contracts as a routine part of the legislative process.

These distributions should be analyzed in both east and west, as well as a north-south basis within Canada. The Reform Party supports the inclusion of economic rents from hydro-electric activities in the public revenue of all provinces for the purpose of

calculating the size of federal-provincial transfer payments. That may not be in the interest of Manitoba, but at the same time Quebec has huge revenues from hydro-electric power and they receive very large transfer payments.

Entrenchment of property rights: The Reform Party supports the amending of the Charter of Rights to recognize that in Canada there has existed and shall continue to exist the right of every person to the use and enjoyment of property, both real and personal, and the right not to be deprived thereof except by the due process of law.

Furthermore, it should be recognized that in Canada no person shall be deprived, directly or indirectly, by any law of Parliament or a provincial Legislature of the use and enjoyment of property unless that law provides for just and timely compensation. This entrenchment of property rights is supported by the majority of Canadians, and we are the only Party which advocates this reform.

A new Constitution should provide for both a strong federal Government and a strong provincial Government, with a clear definition and division of powers. There must be no encroachment thereafter by the federal Government into the provincial areas.

We are proposing to our Members at Assembly '91 a new policy in respect to the Supreme Court. The proposal calls for the make-up of the court to be two justices from the Atlantic provinces, two from Quebec, two from Ontario, two from the prairie provinces and two from B.C., in addition to the Chief Justice. The Reform Party still supports the retaining of the appointments to the Supreme Court by the federal Government, but we would insist on Senate ratification of those appointments.

* (1600)

Status of the territories: The Reform Party supports the right of the northern territories to achieve full provincial status. The Reform Party supports the position that Confederation should be maintained, but it can only be maintained by a clear commitment to Canada as one nation in which the demands and aspirations of all the regions are entitled to equal status in constitutional negotiations and political debate, and in which freedom of expression is fully accepted as the basis for any language policy across this country—no official languages policy, as legislated in the past.

Should these principles of Confederation be rejected, Quebec and the rest of Canada should consider whether there exists a better political arrangement which will enrich our friendship, respect our common defence requirements and ensure a free interchange of commerce and people by mutual consent and for our mutual benefit.

Multiculturalism: The Reform Party opposes the current concept of multiculturalism and hyphenated Canadianism pursued by the Government of Canada and would end the funding of the multicultural program. We support the preservation of cultural background as a matter of personal choice. Whether or not an ethnic group preserves its cultural background is that group's choice, and if they wish it they can fund it.

The Reform Party supports the responsibility of the state to promote, preserve and enhance the Canadian culture. The state may assist and should encourage ethnic cultures to integrate into the national culture. Then, and only then, can we promote a unified Canadian nation and stop the divisions we see within our Canadian population. Incidentally, I talked to one of the main organizers of the Ukrainian Festival in Dauphin, and he is in agreement with that. What he said was happening is that even though these huge amounts of money are made for cultural enhancement, the grants are not handed out equally to all the different cultural groups according to their numbers. That puts one group against another for that money and causes hard feelings when a larger group gets less than a smaller one.

To conclude, the Reform Party is greatly concerned with the incredible size of the public debt and ever increasing burden of taxation imposed on hard-working Canadians. We therefore support Resolution 1, which states: The federal Government shall forthwith enact a law under which all future increases in total revenue must be exceeded by reductions in overall expenditure until the budget is balanced.

We support requiring the Government of Canada to balance the budget in each three-year period or to be obliged to call an election on the issue. The first period would commence three years from the passage of such a measure.

What kind of Canada do we as Reformers want? We want to ensure that the new Canada prevails over the old Canada; to ensure that fiscal responsibility prevails over irresponsibility; to ensure that regional fairness prevails over regional inequities; to ensure that equality prevails over distinctions based on race;

to ensure Canadianism, period, prevails over hyphenated Canadianism; and to ensure that democratic politics and process prevail over elitism and narrow partisanship.

This is just a partial outline of the shape and substance of the new Canada, but we sincerely invite you to help us make a reality of all of these issues, and we thank you for your attention.

Mr. Chairman: Thank you, Dr. Agnew. Any questions?

Ms. Friesen: You say that this represents the opinions of one particular constituency association. Could you give me an idea of how many members you have or how many people have been involved in forming this?

Mr. Agnew: Our constituency association has over 350 members who are paid up and current. We have another 150 who have not been renewed, but will renew, I am sure.

This presentation was done from the "Blue Book" on Principles and Policies of the party and in consultation with the gentleman out in Vancouver named Gordon Shaw who is responsible for a constitutional reform package to be presented at the assembly in Saskatoon this April.

Ms. Friesen: So it is based upon a national policy book that was discussed and addressed at a constituency meeting?

Mr. Agnew: Yes.

Ms. Friesen: Okay, thank you. I wondered if you could—you talked a lot in the last part of the presentation about Canadian culture, and I wonder if you could expand on that. What do you mean by Canadian culture? What is this Canada to which you want everyone to integrate? How do you define it? What elements are important?

Mr. Agnew: The national culture would be established from the days of Confederation, 1867 to 1967. It established the accepted norms for how we conduct ourselves within the public eye and the languages that we choose to use, which is totally a matter of choice. There are certain Canadian entities which differ a lot from immigrants from other countries, and certainly to pick them out would take a long time, but it could be done. We would just encourage people to join in and be as the Canadian scene is presented by the average born-in-Canada Canadian.

Ms. Friesen: I am still not clear.

Mr. Agnew: Where were you born?

Ms. Friesen: I was born in England.

Mr. Agnew: Okay. I was born in Canada, and I am sure that there are some things that you do in England that are very similar to what we do in Canada, and there are some things that you do not. I cannot think of what those would be, because nationally we have the same heritage—

Ms. Friesen: Perhaps.

Mr. Agnew: But if there was someone who came from another country and they chose to have their way of worship, for example, or their way of doing business or saying goodbye or whatever you want to do, that is entirely up to them, if they want to preserve that. We could certainly show them how our Canadian heritage functions. Then they can choose to take part or not, but we do not have to give them money so they can go out and spend it on maintaining their cultural background. They came to this country probably to get away from their cultural heritage or political oppression or whatever. Now they are in a new land where there are new customs.

If I were to go to another country, say Japan, I would have to adapt to the Japanese customs because I now live in that country. I hope that makes sense to you.

Ms. Friesen: That part of it does, yes. I am still not clear what you mean when you say "Canadian culture." So far it seems to mean a variety of languages, freedom of religion—what else?

Mr. Agnew: I fail to understand what you are getting at. I know that Canadians conduct themselves in a way that is acceptable to other Canadians depending on where they live. I do not understand why you would want to pin down a specific entity.

If you would name the entity I could maybe describe what you are talking about.

* (1610)

Ms. Friesen: I am wondering where your values lie. Are they—for example, many people when they have talked to the commission have talked about the importance of medicare as an important Canadian institution. Other people have talked about the RCMP as an important Canadian institution. Others have talked about the value of a strong central Government or of particular provincial Governments. They have talked about political culture at different levels. Others might talk of Canada in terms of literature or music.

What do you mean when you say everyone must integrate into a Canadian culture? How are you

defining Canada?

Mr. Agnew: Shall we take each one of those subjects one at a time, and I can tell you how I would see Canadian culture based on what that particular article is you want to discuss?

Do you want to talk about the RCMP? That is a Canadian cultural entity.

Ms. Friesen: Is it? Okay.

Mr. Agnew: It should be left alone. It is very simple. If the Canadian RCMP uniform is standard and you do not want to wear the uniform do not join the RCMP.

What is the next one?

Ms. Friesen: The CBC.

Mr. Agnew: The CBC is a very important and viable entity within the Canadian communications network. Certainly there have been cuts to the CBC. There have been cuts in a lot of regional areas. There are some very large salaries paid to very fat-cat CBC representatives down East. Perhaps the cuts could have been more in that direction than out in the regions. It is a very important part of Canada and it should be maintained.

The next one, please.

Ms. Friesen: Medicare.

Mr. Agnew: The medicare issue is certainly very, very important. We all appreciate the fact that we are looked after in the hospital setting. I am disturbed however by the fact that the national debt is eating up such a large part of our tax dollars that there may not be funding for these social safety nets. That is where the danger lies. There should not be cuts in any funding to medicare.

We have had regional transfer payments cut back by $377 million from Ottawa in the last year. Those regional transfer payments should be ours, and they could have been ours had the national debt not been so large.

Our nurses are out on strike in this province—or they were until today—because the Governments of the West did not have money to support their increased salaries. The nurses deserve those dollars, by the way. They work very hard. They are taking the hit, and the provincial Government is taking a hit, and it is not their fault.

It is the feds who overspent and wasted our money on foolish programs like, I might add, official languages policy, which in actual fact we cannot afford, helped nobody and served to divide the country, and they should be stopped. The same with funding to special interest groups and the same with the funding to the multicultural program.

The federal Government cuts where the priorities are not, or they cut in the wrong places and then they blame it on the fact they do not have any money. If they used the money wisely, we would all be very well looked after. We pay enough taxes in this country.

I am interested in what you are doing, I am prepared to go ahead with more.

Ms. Friesen: Sure, there are other people to present though, but I wanted to get a sense of what you held dear in the context of national institutions. I think I have some idea of that. Thank you.

Mr. Agnew: Okay. Thank you.

Mr. Carr: I just have one question. How do you justify four members of the Supreme Court of Canada from B.C. and the Prairies, and two from Quebec? What is the rationale, the reason behind that kind of division within an 11 person Supreme Court?

Mr. Agnew: All we are doing here is putting the various regions of Canada with equal representation on the Supreme Court.

Mr. Carr: Yes, but you are arbitrarily defining B.C. as a region in order to give it two members of the Supreme Court, are you not? Why is B.C. a region? Why is Manitoba not a region?

Mr. Agnew: Now again I am surmising here because I am not that familiar with that particular reason, but I would expect that we are probably looking at a larger population in B.C. as compared to the three provinces, but I do not know. In fact, I questioned that myself, but I did not have time to check it out.

Mr. Carr: Okay.

Mr. Rose: You refer to the need for a very strong and clear definition and division of powers between the provinces and the federal Government. Have you given any thought beyond some of the questions you were just answering there by Ms. Friesen?

Do we really need to examine the distribution of powers as we think of them? When we went through the Meech Lake, one of the concerns we had, of course, was that many of us thought that the provinces were getting too many powers. Do we need to go a little further and perhaps release some of our provincial authority to the federal Government? I am thinking in terms of things like education or the environment. Public school, or primary and secondary education for example, is a provincial

responsibility here. Are we headed in the right direction with that or should this be a federal responsibility? I just use that as an example.

Mr. Agnew: Yes, those should be entirely within the provincial jurisdiction.

Mr. Chairman: Thank you very much, Dr. Agnew.

Mr. Agnew: Thank you for your time, I appreciate it.

Ms. Shari Decter Hirst (Private Citizen): Ladies and gentlemen, thank you for allowing me to present today. It has taken quite awhile for me to decide to appear before this committee. I feel that my enthusiasm for constitutional issues went to Jean Chretien's ball game and never came home. However, Tuesday's report of the Quebec Liberal Constitution Committee has reawakened my passion for constitutional reform.

Almost two years ago, I stood before the Meech Lake task force of Manitoba to share my views of the policy and the process of that document. What came out of those discussions was that, regardless of policy position, there was a unifying theme across the province and across the country: that elitist negotiations behind closed doors were not acceptable to Canadians. I was saddened to hear of the appearance of the Spicer commission in Brandon yesterday. Apparently the lessons of Meech Lake were not learned and the closed door, by invitation only aspect of the Spicer commission has further alienated Canadians from constitutional discussions, so I commend the Province of Manitoba for their public and accessible forum.

It is this feeling of commitment to Canada and the personal involvement in the direction of a new vision of federalism that will ultimately sabotage any attempts of unilateral negotiation. Quebec cannot exclude the rest of Canada from the negotiations any more effectively than the 11 First Ministers could in '86. We are a nation that believes strongly in the consultative process. The 18-month deadline imposed on Tuesday by the Quebec Liberals on constitutional negotiations has escalated the pressures on the sovereignty and Constitution debate. I feel that it is necessary for Manitoba to get the input of its citizens before they can respond to other provincial and federal initiatives in regard to policy and process.

Secondary to the question of process are specific areas of policy concern. Of paramount importance, regardless of the final outcome in Quebec, is the recognition of aboriginal peoples as the fundamental and original characteristic of Canada. How can the Constitution accurately reflect the fabric of Canadian society and provide a framework for the future development of that society when the English and French are listed as the country's founding peoples? How valid is a document whose opening preamble is incorrect?

Of great public interest is the issue of Senate reform. I believe that this is sloppy thinking, a Triple-E Senate, and I would strongly advocate the abolition of the Senate. It is a costly exercise in futility and no longer fulfills its original function as a house of sober second thought. Its performance during the GST debate illustrates how far it has come from this original premise. I do not feel that a Triple-E mandate would rescue it from redundancy. Certainly the principle of democracy of one person, one vote has led to a gross distortion of regional representation. However, I do not feel that a reformed Senate is the vehicle to check this imbalance.

The effect of current federal-provincial conferences has superseded the old system of regional ministries. Provincial Premiers have, quite justifiably, assumed the mantle of champions of their provincial interests. Their ready access to the media has been extremely effective when dealing with issues of regional importance such as Hibernia. Coupled with this is the growing trend toward regional Premiers' Conferences effective in both the Atlantic and the Prairies as a form of information and collective lobbying. Could elected regional senators be as effective as our Premiers in representing the interests of their constituencies? Perhaps, but the duplication of resources in this era of economic restraint is unwarranted.

While on the topic of finance, I also wish to speak to the very real concern of federal-provincial cost-sharing. Currently the historic practice of joint responsibility for funding of health and education has been gravely compromised by the fiscal situation of the Government of Canada. They are not alone in this dilemma however, and the transfer of fiscal responsibility for health, education, RCMP services and the agricultural support programs should be seen for what it is, a cheap trick by a cheap Government. Instead of ratifying this shift of responsibility through some constitutional constraints as proposed in the Meech Lake Accord, a more appropriate rationalization of limited resources would be more effective and palatable. However, this type of discussion will await the next election.

Finally, I would like to address the effects that any

amendments to the Constitution may have on the rights protected under the Charter. A great deal was said on this issue during the discussions on Meech Lake two years ago. Therefore I am confident that there will never again be a recurrence of any unintentional threats to these rights.

* (1620)

In conclusion, I would like to return to my original statement concerning the importance of dialogue and consultation in the constitutional process. We cannot develop a constitutional framework based on unilateral negotiations or a dictated agenda. The documents that come from such negotiations are usually flawed in some way, and are always unacceptable to the peoples who must live with them. We must talk together and work together, and only by relying on our joint resources and on the philosophy of the whole being larger than the sum of the parts, can we find the common ground which will ultimately be the basis for successful constitutional reform. Thank you.

Mr. Chairman: Thank you. Questions?

Mr. Carr: You say that the principle of democracy of one person, one vote has led to a gross distortion of regional representation, but you do not feel that a reformed Senate is the answer. What is?

Ms. Decter Hirst: The mandate that the people who are supporting a Triple-E Senate are saying that it should be elected, it should be equal and hopefully effective. I do not think that you can graft that onto a Senate, that we have equal and we have elected representation in our House of Commons; that if you are trying to transpose a regional representation onto the Senate and you are trying to get them to speak for the provinces in a federal arena, they are going to have to compromise that mandate; that you cannot conflict a provincial cause in a federal situation; that if you are looking for regional representation, the current practice of Premiers' Conferences has been very effective and so far does not cost us an extra dime.

Mr. Carr: Yes, I understand your arguments against Triple-E Senate, but I also recognize that you believe that the current system is a gross distortion, but you are not advocating any change to the current system.

Ms. Decter Hirst: No, I am saying that the current system does have a gross distortion of regional representation, but you cannot have anything else if you are going to have a democracy. That, unfortunately, we have urban-rural distortion, we have regional distortion and that is not an issue. The issue of a Triple-E Senate is a false issue, it is sloppy thinking, that we do not need that kind of representation at the moment.

Mr. Carr: Yes, but with respect, I am not debating the Triple-E Senate, I am debating the gross distortion and asking you to give us some ideas about how that distortion can be flattened out.

Ms. Decter Hirst: I would not flatten it out. I think it is very important to have the principle of one vote to each person. I would not want to think that my vote was any less important than anyone else in Canada, nor would I want to think that anyone else's vote was more important than mine.

Mr. Carr: Okay.

Mr. Chairman: Other questions. Thank you very much, Ms. Decter Hirst.

Walter Mentuck. Good day sir.

Mr. Walter Mentuck (Private Citizen): Good afternoon. I would like to thank the ladies and gentlemen for the opportunity for being here to present my concerns in this Constitutional Task Force. I am from the Waywayseecappo Band just west of Rossburn, Manitoba.

I guess probably our primary concern is the recent implementation of the GST. It seems that the federal Government and the provincial Government are constantly eroding the treaty rights of the aboriginal people of Canada. This treaty right of aboriginals being immune from all taxes has not been fairly or wholly explained to all merchants in our area. There seems to be a two-way system, a two-way form of information going out, one for the Native people and one for the merchants, that any food, we are tax exempt, but to the merchants we are there to pay taxes.

Whether or not our treaties have ever been explained or made aware for the people to know, I think it is the responsibility of the federal and provincial Governments. It seems that whenever there is an election the provincial candidates are at our doors wanting our votes, and when they do get in, they do not want to recognize our treaty rights. I think we have tried to meet with various departments of the provincial Government to remove the taxes which we are not supposed to be paying.

On the justice issues, I think that the aboriginal people are the fundamental and original characteristic of Canada. The recognition of the

aboriginal peoples as a distinct society is worth protecting for aboriginal languages, cultures, traditions and institutions; the recognition and protection of the inherent right of self-government of aboriginal peoples; the recognition and protection of our right of aboriginal title; the fulfillment of all treaties, including land claim agreements signed between the aboriginal peoples and the non-aboriginal Governments; the right of aboriginal people to participate as equals in the process of constitutional change.

From the fourth item I mentioned, the recognition and protection of our right of aboriginal title, I do not believe that Canada, as we have come to know it since the white man came, has ever been sold to anyone, not even to the Queen, who is the other half of it, the person who signed the other part of the treaty. There is no bill of sale of this country that has ever been signed.

If Quebec decides to separate, then I do not think anyone is in the position to try to stop them. They are only visitors here in this country as everyone else is, but the country as a whole is still the ownership of the aboriginal peoples of this country, not the so-called founding peoples, the French and the English. Where that idea came from, I do not know. For that part, the bilingual aspect of this country, from what they had taught me the French should be speaking English like everyone else is in this country, according to the results on the Plains of Abraham in 1763.

° (1630)

I think I would like to leave at this time. I have not really prepared a full submission. I would like to thank you for your time and for listening to what I have to say. Thank you very much.

Mr. Chairman: Thank you, sir. Any questions? Thanks again, Mr. Mentuck. Mr. John Green? Mr. William Rolston? That completes our schedule of presenters for this afternoon, ladies and gentlemen. I would invite any who may wish to speak who have not spoken, if there is anyone at this juncture. If not, we will reconvene tonight for our—yes, sir? Please come forward. Sit down. Thank you, Mr. Clark.

Mr. Dan Clark (Private Citizen): This was something that I have been thinking about for a long time, but it just came out sort of today. I wrote it out.

What kind of a society and country do we really want? In a true democracy, the goal is not to control people but to empower each individual to become the best he can become, to have control over his own life and destiny with the least amount of interference from others, which includes all forms of Government. There is also each individual's responsibility to respect others and to be responsible for his own actions.

As a society, we desire to have laws which are human guidelines, how we are to interact and live together with one another. What we have created is a structure which is continually creating more restrictive measures on the freedom of the individual, not to protect me from you, but to protect me from me.

There seems to be a feeling that as a society we know how to fulfill and meet the needs of other individuals. Each one of us has his or her own individual goals, desires and dreams. We have created a feeling and a belief in most Canadians that someone else has control over their lives.

Our political structures have evolved into an attitude of the boss: I am here to tell you what to do or what I think is best for you, instead of what I believe it was originally designed to do, and that is to serve the public as a public servant.

The natural order is that he who is paid to provide a service is the server, and if that service is not provided you have the choice to pay someone else who will give you what you want, can give you what you feel you have paid for. That order is now backward. The Civil Service and the Government is now seen not as a server to help you reach your goals and aspirations, but as a waitress who demands your money at the door, shows you a menu of what they do not have and says, give me a call if you can think of something else. I will check and see if we do not have it, but in the corner is a pitcher of water and some unsalted crackers so you do not get too thirsty, with a self-serve sign. Meanwhile, the waitress and the cook are in the kitchen eating steak and drinking champagne laughing at you, the fool. You finally get fed up and leave, totally humiliated, robbed and betrayed.

We have created that feeling in this country, an attitude that individuals have no control over their own lives. I believe that the only thing that can save our country is a change of attitude. We have a higher educational standard than ever before, but instead of allowing the use of that knowledge to create a better world, we continually become more restrictive. We have less and less faith in each other's abilities, not allowing people to grow and succeed or fail on their own. We do not say go for it, you can do it. Show us that it can be done. Can I help? No, we say you

cannot do that, because we do not serve you but tell you what to do.

My vision of Canada is of a family with the federal Government the head, both father and mother, and each province as a child. Each child has his own goals and dreams. Each child matures at a different rate and at a different stage of development. Each one also has its own personality. The parents are there to set the ground rules of the house and how you are expected to behave in that house. The parents cannot make the child do anything, but the child knows the rules and consequences of breaking them.

The parents' responsibility is to teach, love, advise and guide the children to become the best they can be, but that child will ultimately do what he wants to do, and blind discipline never works on a maturing child. All you can do is love and accept what that child has become and support it as you would the rest.

We also have a challenge of 10 or 11 other children wanting to do their own thing. Some play together while others fight. They are still part of the family with common bonds. What we now have is 11 jealous children and very little family co-operation to help the whole family which is the people of Canada.

We have a win-lose mentality. To make this country great we have to change to win-win philosophy. When I help you succeed, I succeed. That is where the federal Government comes in to set guidelines, no stealing or cheating on the family. One sick child can bankrupt the family, but if they are all healthy and working together the family can prosper. So the goal is to help everyone to be healthy and happy. How do we go about it?

Have the people write and agree on a Constitution on what all the roles of all the players are, defining what we want as a people, not our elected officials. Another piece of the puzzle is a suggestion that would allow every individual to gain back some, if not most, of his dignity.

What I am suggesting is a guaranteed annual or monthly income paid to everyone without judgment, the same as family allowance. No one would feel guilty about receiving it, and there would be no shame attached. There is no restriction on what you can do with it, but that is all there is. If you want to work, you work. If not, that is all there is, but there is no stigma. It would be taxed back at a graduated level so that you are not punished for helping yourself.

It would do away with most of the social programs, and the money used for these programs could more than cover the costs of this program without the bureaucracy which has to screen, file, police and administer all these other programs, for example, UIC, welfare, Native Affairs, subsidies and grants.

Some people still need assistance above this minimum, but everyone else has the right and responsibility to go out and do something positive for themselves. Any additional income goes to them and their families with dignity, is not taken back like some bad child.

Positive reinforcement builds people, negative destroys them. If you lose your job or your work is seasonal you do not have to beg but have confidence and support. You look for new opportunities instead of reasons you cannot do something else.

Through this program we can create a vibrant society with hope not despair, confidence not fear, and caring not spite. Some toes will have to be stepped on, some kingdoms torn down, but I cannot see any other solution to change the attitudes of the people. Most Canadians will say it is impossible, it cannot be done, it is too good to be true, but my challenge to every one of you is to stretch your minds and envision a country where we are helping each other win, and in the process our lives become better as well. We can only do it if we want to do it and believe we can do it. I believe we can find solutions if we want to but only if we want to. If you are not part of the solution you are part of the problem. When we take our eyes off ourselves and help someone else, that is how we create a great country. Serve others and help them get what they want, and you will have everything you need in life.

Let me leave you with one last thought. Criticism destroys, personal responsibility builds. Thank you.

* (1640)

Mr. Chairman: Thank you, Mr. Clark. Any questions? Thanks again.

So, ladies and gentlemen, we will be back at 7 p.m. for the evening session. Thank you very much for your attendance and, in the case of many of you, your participation this afternoon. Good afternoon.

* * *

The hearing took recess at 4:41 p.m.

After Recess

The hearing resumed at 7:11 p.m.

Mr. Chairman: Ladies and gentlemen, welcome to

our evening session. I am sorry we are a bit late getting started. My apologies to anybody who has been kept waiting on that basis.

The Members of the task force who are here tonight, it would be my pleasure to introduce them now. On my right is Mr. Jim McCrae, at the far end of the table. He is the Member of the Legislature for Brandon West, and he is Minister of Justice, a member of the Conservative Government. Next to Mr. McCrae is Mrs. Shirley Render. She is the Conservative Member of the Legislature for St. Vital. On the other side of the table at the far end is Ms. Jean Friesen, who is the New Democratic Party Member of the Legislature for Wolseley. Next to Jean is Mr. Bob Rose, the Conservative Member of the Legislature for Turtle Mountain; and immediately on my left is Mr. Jim Carr, the Deputy Leader of the Liberal Party in Manitoba and Member of the Legislature for Crescentwood. My name is Wally Fox-Decent.

If you have read the pamphlet, ladies and gentlemen, and I hope you have had that opportunity, you will see that the procedure is hopefully very straightforward. When your name is called, if you would be kind enough to come forward and sit down. Try to make yourself comfortable. There is a 20-minute time limit on presentations. You will hear a bell after 15 minutes and a second bell after the 20 minutes have elapsed, and then the Members of the task force may like to ask you some questions.

Our first presenter for this evening is Betty Maxwell. Good evening, Ms. Maxwell.

Ms. Betty Maxwell (Private Citizen): A good Friday evening to you, Mr. Chairman, and the Members of the Constitutional Task Force.

My name is Betty Maxwell, Canadian. I stand before you as a concerned Canadian, and I offer to you my humble answers to the problems which are facing Canadians and Canada.

Your task force has six mandated areas that you will be seeking specific answers for. I would also request that you listen to what Canadians want their Constitution to address, those things which all Canadians have in common. Our present Constitution has not done this, and as a Canadian I have to ask, why?

Politicians like to talk of constitutional visions. The people would rather that our Constitution define our roots. Roots are firmly rooted in common Canadian philosophy. Our roots are not illusive to the average Canadian, but they seem to be for constitutional experts. They seem to think we hold nothing in common but our differences; I disagree. Our common roots can be summed up: peace, opportunity, fairness and justice, equality and freedom.

As you travel about Manitoba, I want you to note how often you hear those words. Canadians are telling you something every time you hear them. They are telling you, these are not addressed properly in the present Constitution. They are telling you, we do not buy the two founding nation theory, we do not buy goofy arithmetic that says we are bilingual and multicultural. They are telling you, we are all Canadians, we have a national culture, we have a Canadian Constitution, and we want it to address those things which we all hold in common, to which Canadians can identify and from which our laws shall be guided. Identity and purpose come from roots, principles. I repeat, for Canadians these are peace, opportunity, fairness and justice, equality and freedom.

It is sad, but our politicians seem to have great difficulty defining what a Canadian is, and Canadians are appalled that our best minds have an equally difficult time defining our national culture. People outside of Canada have no such difficulty. Immigrants consistently come here to be free, to live in a peaceful country, to take advantage of the opportunities which this country offers, to be part of the mainstream of a fair and just society with full knowledge that in such a society, all citizens shall be treated equally under the law, no special places.

Our politicians keep missing that point. A Constitution of a country should state the founding principles, our philosophy, our Canadian philosophy. What does Canada have in here? Division, and if division was not bad enough, we threw in limits on our freedoms and we rounded it out nicely with a notwithstanding clause that renders the entire philosophy useless to application in law.

Our present Constitution then is just not good enough. It does not unite Canadians, it divides. It does not provide the glue to hold us together; it presents divisions. As a result, it has produced divisive policies.

Sadly, our federal politicians have produced a provincial Constitution, not a national vision, but a vision narrow in scope. In other words, we do not want to be defined by our parts, but rather we want our Constitution to define the sum of our parts, our Canadian culture.

So what is a Canadian? Politicians seem at a loss

here, so I thought I would offer you the opinion of an expert, a Canadian. Just ask yourselves, as I did, how would our forefathers have answered that question? I believe you would have gotten a very common-sense answer. They would have looked you in the eye and said, Canadians are the people who were here and the people who came here. The people who were here are our first Canadians and those who came here to be Canadians first. We must concentrate our efforts to the Canadian fact.

In May of 1990 The Globe and Mail printed an article in which Canada was defined this way: "Instead of defining Canada as a meeting of two founding cultures, we need definitions that are far less dependent on race and language.

"One source for such definitions are those Canadians—such as our aboriginal peoples, historians like A.R.M. Lower and modern environmentalists—who define Canada as the land and Canadians as the people who inhabit, develop and conserve it.

"Another source are immigrants, both old and new. When these people are asked, 'Why did you come to Canada'? they never say, 'We came to get in on the French-English thing.'

"They say, 'We came to Canada to make a fresh start, to earn a better living, to provide a better future for our children, to secure political freedom and equality.'

"And in these answers lie the elements of a definition of the new Canada."

The writer of that article was Preston Manning, Leader of the new Reform Party of Canada. He has obviously been listening to Canadians. Did you note some of those words like "freedom" and "equality"? Did you note opportunity couched in the words "fresh start" and "better living"?

In the scheme of things, if a product is flawed and unworkable we throw it out and buy one that does work. Our Constitution, I am suggesting, is flawed and we cannot just fix it. We need a new one.

To prevent a new Constitution becoming equally flawed, it should be put to a referendum and ratified by the people. To be valid it should receive a national majority as well as a majority in each province and territory.

Canadians want national unity. Common sense will tell you that you do not start by giving us a divisive Constitution.

The present Constitution was based on the concept of two nations, and that is what we are getting, is it not? If we want national unity—one nation—we need to focus on our Canadian commonalities, those things we have in common, not our differences.

Canadians long to say, we are all Canadians, please give us the leadership because, wishful thinking aside, there is no unity in diversity, but there can be diversity within a union. To work, a union must be glued together with its common denominators, to which all can identify. Then differences will be accepted like a beautiful mosaic. The real glue that holds them together is not recognizing their differences, but identifying common ground to work together.

* (1920)

In Canada, the glue, those things which all Canadians identify with their Canada, which all Canadians seek to protect, preserve and enhance and are entitled to see reflected in our laws are peace, opportunity, fairness and justice, equality and freedom. They define what we are, what all Canadians seek to attain, what people expect to find in Canada and to what we can look for the glue of national unity.

Canada is rich in its diversity, but it is made poor through lack of attention in defining those things which can unite us, those common to all.

To turn to your specific areas, No. 1, Senate reform—yes, I want Senate reform. I want a Triple-E Senate, one which has an equal number of senators elected from each province, and because it is elected has then the legitimacy to be effective. I include this draft constitutional amendment for just such a Senate. My reasons for the Triple-E model include regional equality and more fairness and balance in national decision making. I think there is enough reading there for that.

Section 2, the Charter of Rights, et cetera, and to this I repeat I do not want our Constitution to define our parts. I want it to define the sum of our parts, our Canadian culture. We have one, do not bury it, define it.

I do agree that all Canadians have a multiethnic heritage, but it is not unifying to divide us up. The responsibility of the nation is to promote, preserve and enhance the national culture. When it comes to the ethnic component, the nation should encourage these to integrate into the national culture. It would not be in the nation's interest to promote, preserve

and enhance the component parts. That should be left to the individual, and their freedom should not be tampered with.

Immigrants take out citizenship in Canada because they want to be Canadians. We need less hyphens in Canada, not more. We seem to have such a problem defining our culture, the Canadian culture. If we are ever to accomplish this we must focus clearly on a Canadian perspective and quit navel gazing at the various parts and pieces of our collective heritage. If we cannot focus on the whole, removing parts will not make it any clearer. It will only serve to focus away from Canada. That is clearly not the intent of a Canadian Constitution.

No. 3, the Amending Formula. There is nothing wrong with the seven out of 10 provinces with over 50 percent of the population formula for starters, but I would add one more step. I would support public referendum on constitutional amendments with a double majority. That is a majority in all of Canada plus a majority in each province and territory. Such a process would identify flaws and allow for needed change. It would also remove the deal making of First Ministers when it would ultimately be the people who would give the final say.

No. 4, the divisions of power, there must be respect for divisions of power between federal and provincial Government. We can have a strong federal Government and strong provinces, if we respect jurisdiction. Efficiency of Government departments is the loser when jurisdictions collide. To hear Ottawa tell it, all of our precious national standards would fall flat on their face if they dared allowed the provinces to do what the provinces are constitutionally and legally responsible for.

In Switzerland this is not the case. The standards did not go down, they went up because the provinces competed with each other to provide the highest quality of service. I believe the federal authority should allocate funds without undue provision applied against them. As for exactly how clear divisions should be decided, I believe the rule of thumb should be that legislative authority should rest with the level most able to effectively govern in each area.

The environment presents unique problems, so harmonization of federal and provincial environmental assessment and regulation procedures should be supported to reduce duplication, to reduce confusion and unnecessary regulations. There should be developed an ecosystem kind of approach to environmental concerns where no one jurisdiction is in full control. We are all part of the whole on this. It cannot be limited because, honestly, it is global.

At the opposite end of the scale, there are other ministries which should be completely decentralized; language, for instance, would be best in the hands of the municipalities. They know what services they do or do not require. They would be in the best position to govern effectively and efficiently, reducing confusion and the wasting of resources.

Then No. 5, your constitutional priorities for Manitoba: No. 1, definitely, push for a Triple-E Senate; No. 2, public referenda on constitutional issues; No. 3, elected constitutional conventions at the provincial level.

We must build a consensus, and this can best be accomplished outside of the political Party structure, and it must be if we are to reach consensus. Constitutional negotiation must begin with the people, move on to the First Minister level, and finally brought back to the people for final ratification. Wheeling and dealing may be good for politics, but it has no place in consensus building for constitutional negotiations.

My fourth point under priorities would be, we must start saying we are Canadians first. We want to hear it from our Premier, from all our MLAs, and I humbly ask that Manitoba lead by example here. When we see our Leaders dividing us up, using those hyphenated Canadian phrases, we start dividing ourselves up. Manitoba could lead the campaign for Canadian unity by example.

Your last area, as far as constitutional reform proposals in other jurisdictions, I have this to say, Quebec should stand in line. Why lend credibility to any so-called Canadians who describe themselves as Quebecers first or Manitobans first or Newfoundlanders first? Such provincial attitudes should be, as have all separtist movements been, largely ignored.

Confederation should be maintained, and it can only be maintained by a clear commitment to Canada as one nation in which the demands and aspirations of all regions are entitled to equal status in constitutional negotiation and political debate and in which freedom of expression is fully accepted as a basis for language policy across the country.

The Liberal Party in Quebec just this week has seen fit to impose an artificial deadline once more. It is time we stopped that silly game. Manitoba's position should be, no deadline, stop playing politics

with our Constitution. Talks should begin when Quebec can look past her borders to the constitutional aspirations of the rest of the country and share in the Canadian fact.

* (1930)

Historian A.R.M. Lower wrote, if the Canadian people are to find their soul, they must seek it not in the English language or the French, but in the little ports of the Atlantic provinces, in the flaming autumn maples of the St. Lawrence valley, in the portages and the lakes of the Canadian Shield, in the sunsets and relentless cold of the Prairies, in the foothill, mountain and sea of the West and in the unconquerable vastness of the North. From the land, Canada, must come the soul of Canada. We are all in this together. Our soul needs definition, not division. That completes my submission.

Mr. Chairman: Thank you very much, Ms. Maxwell. Any questions? Thank you again. Marion Robinsong, appearing on behalf of the Equality in Education Committee of the Brandon Teachers' Association. Good evening.

Ms. Marion Robinsong (Brandon Teachers' Association): Good evening, Mr. Chairperson, MLAs, presenters and observers. I would like to extend my appreciation to the task force and the Government of Manitoba for allowing this opportunity of participation in democracy.

I am presenting this brief on behalf of the Equality in Education Committee of the Brandon Teachers' Association. The committee is comprised of a chairperson elected at our annual general meeting and a representative from each of the schools in the Brandon School Division. Through these representatives The Equality in Education Committee reports to a teaching force of approximately 480 teachers. All of us are members of the Manitoba Teachers' Society.

It was on behalf of the Brandon Teachers' Association that our committee made a presentation to the all-Party Task Force on the Meech Lake Constitutional Accord in April of 1989. At that time, we had two major concerns: national social programs and the protection of the Charter rights.

At this time, we wish once again to reiterate our position on the need for a strong central Government and the adherence to the Charter rights, which provide for affirmative action programs to correct historic and systemic inequities. We also wish to add to that our concerns for multicultural rights and for Native rights at this time.

Regarding the powers of the central Government, as teachers we are concerned that the federal Government retain the ability to offer social programs which have consistency across the country. It is our belief that Canadians are entitled to the same level of services regardless of the area of Canada in which they live. We think it is necessary for the central Government to be able to offer a range of shared-cost programs from nursery, day care and immigrant language training to post-secondary, mature student, and job training programs.

The features of our current cost-shared programs which we wish to see protected are: public administration on a non-profit basis, comprehensiveness, universality, portability, accessibility on uniform terms and conditions and the availability to all of information on the operation of the programs.

Canada is known as a compassionate country because of the social programs that we offer today, but by no means are we addressing adequately the needs of all our citizens. There are children, and we see these at school, who do not realize the advantages open to other citizens because of poverty, family violence or handicaps for which adequate services are not provided. We still need creative solutions, which may mean the development of new and innovative programs, and we recommend to this task force the maintenance of the powers of the central Government so that national social programs can be protected and necessary new programs implemented.

Regarding the Charter of Rights, we are pleased with Section 15 of the Charter of Rights and Freedoms, which clearly states that every individual is equal and which forbids discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability, as well as allowing for affirmative action programs nationwide.

Our provincial body supports affirmative action programs, and one notices that only in Winnipeg School Division No. 1, where an affirmative action policy is in effect, does the administrative staff reflect the gender balance of the teaching staff and then only at the vice-principal level.

To more fully explain our position as teachers, I would like to quote from a presentation made by the Manitoba Teachers' Society to the Federal Committee on Equality Rights in May of 1985. In this

presentation the case is made for "real" equality contrasted with facial or surface quality, and I quote from that submission:

In our view, equality goes beyond the face of the law. It extends to equal benefit of the law. That is, the result of the application of the law must be equal, stressing the word "result."

We can give a clear example from education of this interpretation of equality. Two children come to school. They sit in the same classroom, receive the same teaching, are presented with the same curriculum. Equal amounts of money are spent on the educating of each child. This is a facial equality. However, consider that one child is severely visually handicapped and needs large-type books, a tele-reader, and a teacher assistant to assist in some aspects of content reading. These special measures put the cost of this child's education much beyond that of a "normal" child, but because of these special measures the visually-impaired child learns to read as well as the sighted child. This is equal benefit. The results of applying education now are equal, and it is this definition of equality which must be pursued by lawmakers and used by the courts. This means that systemic discrimination must be addressed.

The passage goes on to describe needed law reforms which have since been enacted, I am pleased to say. However, a sample of reform that is needed today is in regard to pension legislation. Women teachers, and some people may not realize this here, are prevented by law from contributing to their group pension plan while on maternity leave. This has a detrimental effect on benefits at the time of retirement. Laws such as these need to be changed to correct an injustice which allows men teachers to better provide for themselves in their retirement years since they will not be in a position of taking maternity leave.

To continue with the quote: "In order for women to benefit equally from the law, special measures are needed to assist them from their historically disadvantaged position...The Canadian Teachers' Federation has gone on record as supporting the recommendations of the Abella Report, and we do likewise. Further, we believe that mandatory affirmative-action programs and contract compliance are necessary measures to ensure equal opportunity for women."

With a determination to see that fairness is obtained, we ask the task force to insist that steps continue to be taken and legislation be passed with the aim of eliminating systemic discrimination from our society.

Some say to us that not enough women are applying for administrative positions, and that there is insufficient interest on the part of women in seeking leadership roles. Experience with a current course for women seeking administrative positions, put on by our provincial body, showed just the contrary. It was oversubscribed by 300 percent. This was a course that included three weekends of study, starting last month and continuing one weekend this month and next month. This is a very recent example, and it was wonderful to see the kind of support that women have, one might say for themselves, in being prepared to take leadership.

Teachers in Manitoba are seeking gender and racial balance in the hiring of our own staff officers, in the participation of teachers on the divisional and provincial executives, and in the leadership positions in the divisions in which they work. We believe that it is important for our students to see male and female role models in all grade levels, in school administration and in all fields of study.

As yet students still basically respond to occupational complements such as doctor/nurse, lawyer/secretary, principal/teacher, with the stereotyped he/she designations. Of course, he for doctor, lawyer, and principal.

* (1940)

We think it is the job of the legislators of our country to take action that will bring about the equality that we put forth in Section 15 of the Charter, and not to leave it to the current system with its entrenched power structure to make those changes voluntarily. We ask for Governments that put fairness first.

To this point we have discussed only the necessity of considering alternate needs of children to bring about equal educational opportunity and the needs of women for affirmative action programs. We, of the Equality in Education Committee, can observe a phenomenon, not restricted to the field of education, where visible minorities are not too visible.

Indeed, they are not adequately reflected in our work force and where they are represented in our work force they are extremely underrepresented in the leadership roles. The Brandon Teachers' Association expects our Equality in Education Committee to, and I quote from the constitution of the Brandon Division Association: Aid in the development of the full potential of all individuals; to help teachers and others in the school system to develop the full

potential of all individuals; to help teachers and others in the school system to develop awareness of sex-role and race stereotyping in classroom materials, teacher attitudes, school policies and programs and its effects on students; to acquire the necessary skills and knowledge to develop a program and resources aimed at increasing the awareness of teachers to sex-role and race stereotyping in the schools; to encourage and recommend changes, No. 1, in the classroom materials, educational policies and programs to eliminate sex-role and race stereotyping and, No. 2, in educational policies and practices to ensure that races and sexes have equal accessibility to all school programs.

Thus, we bring forward to this task force the need for Governments to help us through the establishment of affirmative action plans which bring about work forces that reflect the population of visible minorities and which bring people from visible minorities into leadership positions. We recommend a commitment at all levels of Government to the concept of Article 1 of the United Nations Universal Declaration of Human Rights, which Canada, I am proud to say, helped draft and signed, which states that, "All human beings are born free and equal in dignity and rights."

We wish to see fully developed a society with justice for all. To do that, it will be necessary for Governments to address the elimination of discrimination, including discrimination on the basis of race, culture and ethnicity, and of course our committee is working toward seeing that this is done in Brandon schools. We think it is necessary to co-operate with existing organizations promoting behaviours, attitudes and materials that are based on the belief that all races, cultures and ethnic groups are equal in dignity and rights.

We recommend that Manitoba Education and Training take care to ensure that all curriculum and programs be reviewed and monitored for any type of bias, stereotypes and/or generalizations that could promote or induce racist behaviour and attitudes. Understanding and acceptance of racial, ethnic and cultural groups is what we expect of ourselves as staff in our schools and that is what we ask of our Governments, that understanding and acceptance of racial, ethnic and cultural groups be exhibited in the words of our documents and in the actions of our Governments.

As our final point, a constitutional task force such as this would be remiss if it did not put Native issues as a primary focus. We ask this group, how can those of us who ourselves may have come from other parts of the world or who come from families who came from other parts of the world build complex and yet more complex systems of interrelating while we ignore the legitimate requests of the Native community, the first peoples of Canada and some might say our Native hosts. To have treaties honoured, land claims settled and to be granted autonomy in their Government and schooling, it is the time if ever there was a time to negotiate firstly, seriously and in good faith with the Native peoples.

In her report on equality in the workplace, Judge Rosalie Abella said, If we are not always sure what equality means, most of us have a good understanding of what is fair. What is happening today in Canada to women, Native people, disabled people and visible minorities is not fair. Let us make the necessary changes to ensure that statements of this sort will become a thing of the past, and Canada can truly represent a caring and compassionate society, a society which puts equality first. Thank you very much.

Mr. Chairman: Thank you. Any questions?

Mr. Rose: Thank you, Mr. Chairman. An excellent presentation, and I want a general sense—we have been here for quite a while today, and I have been hearing very often words like rights and equality and fairness. I guess I am wondering, and I am not being specific to anything in your presentation, but I am wondering where the words responsibilities and obligations come. We talk about defining our rights in our Constitution and all of these rights, but no one seems to ever talk about responsibilities in return for those rights. Could you comment on that? Am I missing something?

Ms. Robinsong: Because I am speaking on behalf of an organization rather than on behalf of myself, I am not at complete liberty to answer without referring back to the organization and the policies that the organization stands behind. However, I think that I might be allowed to say that we feel when individuals are treated with dignity, they respond to be able to fulfill their responsibilities; when people are treated poorly, and their basic needs are not met, and they are not given considerations which they see coming to others, they find it much harder to be part of a growing and positive organization. I think that we would find much more co-operation and much more ability to negotiate with one another were we to keep fairness uppermost.

Mr. Rose: Thank you.

Mr. Chairman: Thank you very much, Ms. Robinsong. Mr. Heeney.

Mr. Dennis Heeney (Private Citizen): Good evening, Mr. Chairman.

Mr. Chairman: Good evening, Mr. Heeney. We have your written presentation. Thank you.

Mr. Heeney: I come here with a little bit of confusion because, on the one hand, I have been at this in here several times before, before you and others, and it seems to me that nobody ever listens and nothing ever changes, and I wonder why I keep coming back. Each time I come back I am madder than I was the time before. However, when I left the house this evening my wife said, just mind your manners, and so I will try. I may not succeed, but I will try.

It seems to me that, as I have said, we have been here just a little while ago talking about this very same thing, and really not much has changed. I do not expect much is going to change in the future, although I think Quebec is going to force the issue. We are going to have to do something, and I suspect it is time we did.

* (1950)

I looked up in the encyclopedia what democracy means, and it comes from Greek words which mean ruled by people. I think that we all understand that in a democracy it is everybody's right to decide how they shall be governed. As our elected representatives, it is your job to govern as we choose, not as you choose to direct us. You seem to forget that from time to time. I want you to understand there is nothing personal here. I do not know any one of you well enough to say that you are that person, but I am saying the system works that way.

The documentation of all constitutional events in this country since time began, especially going back to 1980, I think proves that politicians just cannot work this thing out. Trudeau gave us his version of a Constitution in 1982, which he was prepared to do without even consulting the provinces, let alone the people, and the people never did get consulted, as you well know. We got Mr. Trudeau's version of what he thought Canada should be, which he thought Quebec would just lap up which, of course, they did not, so Quebec has not signed it and does not accept it, and now they are delivering us an ultimatum.

It seems to me that there are a lot of people in western Canada who are not happy with the Constitution and the present Charter of Rights, and they are starting to say so. I think perhaps that you should listen.

Now Mr. Mulroney again in 1987 tried another tack and secret meetings and pressure-cooker situations, and eventually the people got the message through to him that we did not want his version of Canada whatever that was, which was special preference for one province apparently over all others, so we are back to the drawing board again.

But it is interesting that a few things seem to be happening. Mr. Wells, for one thing, has said that he thinks perhaps it is time the Atlantic Provinces had a look at forming one region of the Atlantic Provinces; perhaps this provincialism that we have is not going to work. At least that is a positive step, at least there is one individual in this country who is prepared to look at some option other than the status quo, and I commend him for it. I do not know that he wants it, or I do not know that he expects it will happen, but at least he is prepared to look at some alternative. I think that it has been suggested also by Mr. Wells and a few others—Mr. Forsey for one, who is I think regarded as one of the foremost constitutional experts in this country; he has been around for quite a while and a respected senator if there are any respected senators—and he had said that we need a constitutional referendum.

People have to decide their Constitution. It seems that everybody hears that and is saying that but politicians. I would feel more comfortable and much less inclined to get angry if I knew that you people believed in the process of referendum. That the Constitution is not yours, it belongs to everybody, and you have no more right to decide the Constitution than I do or anybody else in this room. If I had only one wish it would be that we would have a referemdum, and I do not care what we have to vote on; put something forward and we will say yea or will say nay.

That is what Quebec is going to do, and I suspect we will have to do the same. Quebec has always been the problem, and I do not blame Quebec, I blame the politicians in the rest of the country starting with Great Britain who made concessions with Quebec in 1774, and have continued to do so in the hope that Quebec would some time be satisfied and go home and shut up, and they never do, they keep coming back and they are coming back again.

What are we finally going to say? Are we going to say, okay, you can have your sovereign independent Quebec, and the rest of us will go our way? Maybe

that will work. Maybe we are going to have to say I am sorry, but you will have to take what we dished out in '82, and that is it, take it or leave it.

We are going to have to resolve this. I do not think we can go on for another 100 years without a revolution. I do not know why we would expect—we saw what happened at Oka this summer. That is as close to revolution as I think I want to see, and the federal Government did nothing. Now if I had gone out in my municipality or a group of my friends and farmers and we had gone out on No. 10 Highway and stopped the first RCMP car that came along and turned it over and shot the policeman and stopped people travelling on that road for a month, do you think we would have got away with it? What happened to the people at Oka, the Mohawks? Nothing, as far as I know. So that tells me that there is something wrong with this country and there is something wrong with our attitudes and there is something wrong with this rule of law that we are supposed to live under.

So, I do not want to belabour too long all the things that are wrong because I think maybe you know some of them. I think a case can be made that there is no legal mandate for you, as Government of Manitoba or the Legislature of Manitoba in 1991 or Government of Canada in 1991 to write a Constitution for the people of Canada. I have never seen it written anywhere. Maybe you have. It is not in our present Constitution. It is just something that you accept as being your right.

You are supposed to be elected to serve the interests of your constituents. It said in—I looked up in the dictionary, Webster's Dictionary, what "constituent" meant, and it said, a voter empowered to draft a Constitution. I am a constituent. That is my right. I do not want to sit down and draft a Constitution, but I think a constituent assembly should be elected for that purpose. You have enough problems trying to solve the nurses' strike and trying to get the finances of this country in order. You do not have time for this, and I do not have the expertise, but some people would. We could elect those people; they could do it impartially without partisanism. When it is all done, we will vote on it, and what the majority accept, I believe the people of Canada would accept, and we could have some peace and harmony.

I was particularly annoyed with this emergency debate that they had in the Commons with regard to whether or not we should go to war. What other decision could we possibly make that would be more serious than whether we commit this country to war, which is the killing of people? We had an emergency debate. There was no debate; it was cut and dried. We knew what was going to happen. The Conservatives were going to vote for it, because they had made the decision. Partisan Party politics intervenes and you have to vote the Party line, so it was a foregone conclusion. What was the point of Mr. Chretien and Mrs. McLaughlin saying anything? It was pointless. I would not go over to—I would get thrown in jail probably—I would not go over there to risk my life to fight in a foreign country for something that is none of my business. I would not want to send my son there, but I tell you, I will stay and fight in this country to protect my home, and my family, and if I have to die for it, I will.

I think really that the majority of Canadians want one country. They do not want to split the country up; they do not want Quebec to go. But I can tell you: I do not care whether they go or whether they stay; I do not want to continue the way we are. Either they stay as a willing partner, and we figure out some way in which we can all live together, or they can leave.

I never thought I would ever say that I was ashamed to be a Canadian, but I am. I am just so disgusted with our political system; I have nothing but contempt for the people that are in it, and the mess that they have made out of this country. If I had a choice tomorrow about whether I would stay in this country or go to the United States, it would not take me two seconds to decide. I say, if Quebec goes, we will go to the United States, and there is nothing you can do about it, even though you choose not to.

That is what is going to happen, and it may be best for all, but I would sooner keep this country together. I think there is some way we could do it. If it means giving Quebec the right to be French, and the rest of us the right to be English, then if Ottawa has to be bilingual to accommodate us, so what? I think we could all live with that. The majority could live with that, maybe not the minority. I think that if we got around to this Constitution, and the majority of people had any say, we would certainly make some changes in the Charter of Rights.

I do not know how we lost the Canadian Bill of Rights; that gave us the right to own property. I do not know of any democracy where you are denied the right to own property, but we are. We had it. It was taken away from us by the Liberals and the New Democratic Party, and the Conservatives put up only token resistance. They got a majority, but they did not put it back, so I guess they do not believe in the right to own property either. How come that was taken

away—but it was. 15(2) of the Charter of Rights is a complete contradiction to 15(1). All of the minority groups are making this big case that they want protection in their Charter, and they have it in 15(1). It says, that all Canadians are equal under the Constitution regardless of race, colour, sex or religion. What more could you ask for in it to be equal? Then 15(2) says, except where the Government of the Day decides to give some special interest group some special privileges.

I am suggesting to you, and I am suggesting to Mrs. Robinsong and all other minorities, that if that section gives them rights, it will take them away just as quick; 15(1) gives you equality. It is not the law to blame. Moses had a law that said, thou shalt not steal. It did not say, you could steal if you were poor, or you could steal if you were an Arab, or you could steal if you were black. The law said, thou shalt not steal. That is what our law says, and that is what our Constitution should say.

* (2000)

The problem is in the courts. When you appoint a judge and you send him to court and he says, okay, you are a white man, you shot an Indian, you are going to get it; but if you are an Indian, you shot a white man, that is okay, or vice versa. We get all sorts of discriminatory judgments. It is not the law. It is the interpretation and the administration of the law, and nobody says anything about that. They want to change the written law and hope that is going to solve the problems. I do not think it will.

I really think if we can get the people to have some input—I think the majority of people are moderate. I think they are reasonable, and I think they can put something together that will keep this country together, because I think they want it. As long as we leave it in the hands of Party politics, its days are numbered.

I guess I just—like Dad here, these hyphenated Canadians just drive me up the wall. I just do not know why anybody comes to this country with the idea that they want to become a whatever—wherever they came from put it before Canadian. They came here to be Canadian, I hope. I never considered myself to be anything but a Canadian. I never really think about the fact that my parents came from the British Isles, all three countries. I never really think about that. It does not matter a damn to me. I am a Canadian. I have been here all my life. I hope to live here and hope my kids would live here, so I want this to be my country. If I did not, I would go somewhere else.

Again, I think that we are looking at a Canada that has been around for 100 years, that evolved out of a colony, and I think that it is unreasonable to expect that it is going to continue if it is still operating under colonial status, which is exactly what it is. Until people freely decide what it is they want, then I do not see any hope for peace and harmony.

Maybe we need a new Canada, and it might mean we are going to have the same situation we have. Maybe that is what people really want. Maybe they want a separate Quebec and a separate rest of the country, an English and a French. Maybe they want 10 sovereign provinces or five sovereign regions with no federal Government at all. I do not know what they want, but I think it is their right to decide what they want. If they can put together something that they want that will work, who are you, who am I to say they should not have it? I think we have to have a serious dialogue, and I think Quebec is going to force it, fortunately, and I am really pleased that they have taken that position because they have brought this thing to a head, and we are going to have to deal with it.

Before we get finished with them, we are going to have to deal with our aboriginals, and we are going to have far more difficulty with that than we ever had with Quebec. At least the French people are concentrated—80 percent of them are in Quebec—whereas the Indians are all across this country, and there are I do not know how many hundreds of tribes. Their claims about land that was given to them 200 or 300 or 400 years ago by the French or by the English or by somebody, I fail to see why we have any right to believe that we have any obligation to those land claims. I mean, they want the city of Winnipeg. Are you prepared to give it to them? I think that is totally unreasonable. I think it is unreasonable to expect that we are going to pay them this blackmail money forever and ever and ever. I do not think they need to expect any more rights than you or I—equal rights. I cannot see how anybody can be upset with the concept of equal rights.

I think that all of the sacred cows of the past and the present have to be put on the table. They have to be dissected and put back together. Whatever is put back together, if it is not given to the people to decide by majority, then we are never going to get anywhere. I suspect, as somebody once said, that history does repeat itself. You just look around the world today and all the animosity and all of the fighting there is,

including the Middle East, and that is a war that is 2,500 years old. Maybe they are not going to settle it; maybe they are, but I suspect that if we do not have a say, if the people of Canada are not permitted their say, then there is probably going to be bloodshed. I hope not. I hope I do not see it, but I think it is going to come to a point where it will happen, and there is not a damn thing you or I can do about it.

So I just think it would be nice if Manitoba, whether they meant it or not, having said that Meech Lake was not what we wanted, and since Mr. Lyon when he was Premier did not put his name to the Constitution of '82, I suspect that he had some reservations, that perhaps it would be nice if Manitoba would say, why do we not give the people of Canada the right to decide their Constitution. Thank you.

Mr. Chairman: Thank you, Mr. Heeney. Any questions? Thank you again. Mr. Martin? Good evening, sir.

Mr. George A. Martin (Private Citizen): Good evening, sir.

Mr. Chairman: We have your written submission. Thank you.

Mr. Martin: Mr. Chairman, ladies and gentlemen of the task force, I wrote a writing on the 14th of December, 1990, and it was published on December 31: Canada's Constitution Needs an Overhaul. In it I stated, so much has been written by the media on our problems in Canada and our Government, but I have yet to hear how these problems can be made rectifiable.

I believe that all our systems within Canada today are controlled by international laws, multinational corporations and institutions. The heads of these institutions are governed by a doctrine which is controlled by the systems mentioned above. They control all aspects of our lives: education, standard of living, laws, jobs, taxes and economics of a nation.

According to international law, Canada is a nation state, which consists of a population of mixed ethnic groups, geographical location, an area self-governing, allowed to make treaties with other nations, a federal Government and democracy, but today we have an authoritarian Government in Canada.

We also are supposed to be a sovereign nation. Today we have a political Party in power that has no respect for the public electorate. The Prime Minister believes he is God, and we have no laws in our Constitution to overcome these problems except an election every four years.

Our Constitution has to be changed to control the political Parties, the Cabinet and the Prime Minister. The Constitution has to be rewritten to control the political Parties. The Constitution consists of British colonialism, combined with the American Constitution, the Constitution Act of 1867, the Supreme Court Act of 1875 and the Canada Act of 1982. There is every law to control the public, but the unwritten side, there are no laws to control political Parties, the Cabinet and the Prime Minister.

The Constitution is a flawed document, incused with unwritten political ideologies of Parties. The Acts of our Constitution must be written with modern meaning, so that the public can understand it without a group of lawyers.

Delete the notwithstanding clause that restricts the Charter of Rights and Freedoms. The Canadian Act of 1982, Part 4, Section 38 to 49, pertaining to the changing of our Constitution in any form, must have assent of the Governor-General, who represents the monarch of another state.

Canada has a Chief Justice in the Supreme Court. These men and women should be able to make decisions pertaining to our Constitution and Acts. It is time that we have Acts in our Constitution allowing referendums in all levels of Government so that the elected public have a voice in the Acts governing their lives in the nation. It is time that the Canadian public discard the yoke of British colonialism and have our Acts and laws controlled by a Canadian institution and not by a foreign power. If we wish to keep the monarch as a figurehead, by all means do so, but with no authority under the Constitution and Parliament.

If the Government of a nation does not listen to the wishes of the majority of the public, let us have a referendum and then a tribunal for the leader of the Government and, if found at fault, to abolish that Government that is in power, and let the Opposition form the Government until a general election is held.

Multinational corporations have the power to control small, large nation-states through Government control which affects the lives of all the public. Example: Four petroleum companies—Exxon, Royal Dutch Shell, Mobil, and Texaco—make more profits than the GNP of Canada. They, the corporations, control the international banking system in the world. They are all interwoven, controlled by a cartel. Most of these corporations are controlled in the United States of America.

° (2010)

The Gulf crisis is caused by two factors. This area is part of the universe which is called the "Cradle of Civilization." They have had conflicts over boundaries and land claims since the beginning of time. Let them settle their own disputes. The second factor is the powerful nations stay protecting the interests of the multinational petroleum corporations.

Canada must attend to her own problems and then set an example for those other troubled nations of the world and not by force. A nation-state's wealth is its natural resources and its younger generation. Let them discard the older generation's political ideologies and develop a new system for the generations who come and the nation.

Mr. Chairman, you will see a diagram there of the nine nation-states. Now my main concern in all this is, is the Government of this country deceiving us and this is actually going to happen in the near future? The way things are going, my own opinion is that is what it seems to be doing. I could be wrong, but I do not think so. If we are to survive as a nation, we must change our Constitution as soon as we can, not wait another 125 years. That is all, sir.

Mr. Chairman: Thank you, Mr. Martin. Any questions? Thank you again.

Mr. Riley. Good evening.

Mr. Tony Riley (Private Citizen): Good evening. Greetings to all those sitting on the panel. I come before you today to share some thoughts that I believe would better serve Canadians generally.

I do not think a Constitution should cater to special interest groups; therefore, I recommend the following: Canada must take on its duty to issue its own interest-free money supply. The chartered banks must not retain the right to create new money. They must be restricted to handling only the depositors' money. It is the duty of a responsible Government to match the money supply with the production to enable its consumption. That will ensure a smooth-running economy with maximum employment without inflation. This new money must be earned into circulation interest free, and the first and best way to do that is to legislate a parity price on agriculture commodities. Everyone knows if the farmer has purchasing power the whole nation prospers. It does not make sense for our factories to want to produce, our labour force wanting to work, our farmers wanting to buy, but they cannot because there is not enough money in circulation. Our country is being destroyed because of that one simple oversight. That is why the solution must be enshrined in the Constitution to ensure our country never has to go through such idiocy again.

No. 2, outlaw all taxes except an excess profit tax. It is foolish to complicate business transactions with bureaucratic goods and services taxes. Property taxes should be sent back to Russia. If taxes are to raise money, then money is what should be taxed. An excess profit tax is good because it only takes from those who are burdened with too much. It will control greed, keep money in circulation, and provide Governments with debt-free money to carry out the country's business.

No. 3, outlaw Governments or branches thereof from borrowing money. They must not steal from the future.

No. 4, impose initiative referendum and recall for citizen control of their Government representatives and major policies both new and established. All international agreements must be controlled in this manner.

No. 5, Supreme Court Judges should be elected evenly per province and subject to recall.

No. 6, adopt a Triple-E Senate, equal, elected and effective, to police the legislation passed through the House of Commons to ensure fairness to all regions.

No. 7, the common law should be adopted to serve all Canadians.

No. 8, adopt the English language as our one and only official language. It is somewhat universal throughout the world, therefore, most practical to adopt. We are a nation of many languages, and if we give any special status to one minority and not others, we leave ourselves open to charges of bigotry and racism.

No. 9, the law must prohibit the use of tax dollars to promote other languages, multiculturalism or special interest groups. Many of these people engaged in this activity today are only doing it to plunder our treasuries.

No. 10, immigration should be confined to only those people who will mix with the present Canadian stock. Those who want to form their own tight little racist group should be refused entry. Deport all those who break the law. Accept no refugees on a permanent basis.

No. 11, if Quebec does not want to behave as Canadians, then they should be reduced to their 1867 size, divided into three pieces according to the

percentage of English-speaking, the French, and the Native population at the time of Confederation. The only thing Quebec should inherit from Canada is her share of the debt. Otherwise, Quebec must be entirely on her own.

No. 12, all constitutional reforms and amendments since the BNA Act should be declared null and void. At least a two-thirds majority in each province must ratify our Constitution.

No. 13, no foreign ownership or financing of our media shall be accepted. Gagging of the press, especially by foreign powers, is dangerous.

No. 14, the financing of political Parties and their candidates should be restricted to individual contributions not exceeding $500 annually. They must be Canadian citizens using their own money. The intent here is to prevent big business from buying political Parties. Often this is foreign interest controlling Canadian lawmakers, and our country is suffering dearly for it. We need people control if we are going to determine our own destiny.

No. 15, we must be more environmentally conscious in all things we do. For starters we should sign an agreement with other nations of the world from now on any future wars will be fought with clubs, and the battle will be fought by the leaders of the warring nations until there is a declared winner or a truce drawn. This will reduce the pollution and perhaps the number of wars.

Thank you, that is my presentation.

Mr. Chairman: Thank you, Mr. Riley. Any questions? Thanks again.

Clarke Robson. Good evening, sir.

Mr. Clarke Robson (Private Citizen): Thank you, Mr. Chairman.

Panel Members of the Manitoba Constitutional Task Force, my name is Clarke Robson, and I am from the post office of Deleau as you can see. When I got hold of this letter signed by Mr. Filmon, that helped me to decide that I should make a contribution. I hope it is not a useless one.

Mr. Chairman, we see by Mr. Filmon directing that this task force give "Senate reform top priority in future constitutional discussions." Any clause, section or subsection in our Canadian Constitution that can be used by anyone to gain for themselves something which the majority of the people simply do not want is suspect.

It is my considered opinion that the Senate of Canada is due for extinction. When I went to day school 60 years ago I was told the Senate was a place of sober second thought. We Canadians are having second thoughts and believe that the expense of this part of our federal governmental process is something Canada just simply does not need.

Let us remember, all societies of people who have desired to liberate themselves from the few among them who held some kind of power over them had a struggle, and more often than not a bloody one. Of course, I speak of the struggle for democracy. I believe when the Fathers of Confederation of Canada allowed the inclusion of the Senate, they were simply giving in to the remnants of the family compact. The family compact were the people of that time who had large amounts of economic power and wanted a device to protect themselves from the democratic power of the people.

Do you folks have a copy of this thing?

° (2020)

Mr. Chairman: No sir, I wondered if you—had you given the written copy in?

Mr. Robson: Pardon. Yes, I did, and I fully understood them to tell me that you were going to be getting a copy of this.

Mr. Chairman: Just hold on a second, sir, we will just get this clarified. Perhaps we could just let the staff look at the text and see if they can identify it. I am sorry for this inconvenience. I am sorry about that, Mr. Robson. We have copies now.

Mr. Robson: I am sorry I did not ask before I went on.

Mr. Chairman: Well, I should have asked you actually. I saw you had a text in front of you, but I thought perhaps it was just for your own purposes.

Mr. Robson: I do not think perhaps that I need to read the first paragraph again, do you?

Mr. Chairman: No. Please proceed with the second paragraph.

Mr. Robson: The paragraph 2 that I refer to, of course, is the one that was in that letter to yourself, Mr. Chairman.

Paragraph 2: The failure of the Meech Lake Accord on June 23 last was largely because it refused to address issues such as Canada's multicultural heritage, the Charter of Rights, women's rights and its ignoring of our aboriginal people.

I am one who heaved a sigh of relief when Mr. Harper said "No." I am glad that our aboriginal citizens

were finally presented with the opportunity to take a stand that really stopped this insane agreement. After the way we intruders who came to this land in search of our future treated the people who were here before us whites were, it happens they have saved us all from a dismal mistake, just not unlike the way the Native people saved the lives of some of the Selkirk settlers by showing the settlers how to survive the harsh winter. It is an achievement on the part of the aboriginal Canadians to have learned enough about the legal system to make it work for all of us.

I hope as a Canadian we will someday rid ourselves of the kind of Government we currently have in Ottawa and that greater justice will prevail in our land.

I wish to bring a quote in here: Whatever you do, adhere to the union. We are a great country and shall become one of the greatest if we preserve it. We shall sink into insignificance and adversity if we suffer it to be broken. That was by Sir John A. MacDonald, the Father of Confederation, in 1867, and here we have the irony of the present Conservative Government doing what appears to us to be the reverse of that.

The third paragraph I wanted to comment on is the constitutional amending formula. As set out in the Constitution Act of 1982, the seven provinces, 50 percent of the population base is by far a safer and less frustrating process than that of the unanimity clause in the Meech Lake Accord last March. This accord flowed from demands by Quebec which hardened the process, making it the stuff of which dictators are made. Had that accord passed on June 23 last, our Constitution would have been unamendable.

I believe it is very undemocratic to allow first Ministers to set up issues which are a recipe for the defeat of the democratic process. Those first Ministers were manipulated by their desire to make the economic environment easier for profit taking.

We were victims of the propaganda at the time of our last federal election coming to us from wealthy multinational corporations, both Canadian and foreign. This is the same interference that is carried out by world business in Third World countries today. We must stop this economic control of Canada by the General Motors of this world. Canada can do that with a strong federal Government dedicated to protecting Canada for Canadians, preventing the development of huge, bottom line corporations that are not responsible to the people of any country.

A democratic method of constitutional change must involve the citizens. When legislators realize the need for constitutional adjustment in order that they can carry out the wishes of the people, the legislators shall lay out the wording of the change in layman's language and take it to the people in forums, general meetings, press, radio, TV, giving lots of time, making the learning process interesting and finally deciding the issue by national referendum.

Let us remember, political power is known to eventually follow the movement of economic power. It is not improbable that Canada could face the eventual loss of political independence and its sovereignty as a nation.

I want to repeat that last paragraph if you do not mind, sir. Let us remember, political power is known to eventually follow the movement of economic power. It is not improbable that Canada could face the eventual loss of political independence and its sovereignty as a nation.

Paragraph 4 asks us to review the division of power between the federal and provincial levels of Government. I am not sure there has been any significant changes. What has changed is the will of our presently elected federal Government to govern in the interests of the Canadian people. Our federal Government, choosing to reduce the amount of national transfer payments to education, health and other social services is one thing. That forces the provincial Governments to raise taxes, deficit finance, or cut services.

There is another aspect of this funding services issue. Our federal Government has control over our economic behaviour if it chooses to use it. This mechanism is known as the Bank Act.

Our present federal Government is unwilling to use this instrument. It believes in letting the marketplace control prices of everything, even the interest rates. What is clear is that when poverty abounds, bank and investment profits soar. What we are experiencing is a heyday for the Shylocks of this world. The greedy among us are running the economy.

Let me expand. For a time during the 1939-45 war, our Canadian Government did take its responsibility seriously and regulated our economy. By the end of the war, our western economy was out of debt. This experience set the stage for the growth of programs such as health care and expansion of our pension systems, et cetera.

All of these sorts of services, if brought to us by the instrument of Government, naturally result in a larger part of the flow of money or purchasing power

through the Government Treasury. This is not a bad process.

A per capita cost comparison between the health care system we have in Canada and that of the people in North Dakota, which is mostly a private care system, is about half for the Canadian experience. In publicly-funded ventures, there is not a markup or profit component in the process. Besides that, people who need help get it without the worry of private debt.

Paragraph 5, because I do not want a weakening of our federal level of Governments, I do not wish a particular strengthening of the provincial level of Governments at the expense in any way of Canadian sovereignty. Since the BNA Act of 1867, technology has made physical changes. Our need for the consumption of large amounts of power has put pressure on the petroleum industry and its use in areas where it is not found naturally. I believe it necessary that the federal Government assist in the access of this energy to all parts of Canada as cheaply and fairly as possible.

I feel the provincial Government should give encouragement when and where possible with federal Government in the area of all kinds of research with an eye to the future needs of all people. The transport industry needs to be guided to serve the needs of all people. We should keep as much of our rail line, since it is here, and not allow too much heavy trucking on most of our highways. View this in terms of future needs and costs.

* (2030)

Mr. Chairman: Thank you, Mr. Robson. Any questions?

Floor Comment: I would like to compliment Clarke Robson on his excellent presentation. It was chock full of real common sense and thinking.

Mr. Chairman: Thank you, sir.

Mr. McCrae: Mr. Chairman, I was going to do the same thing, in that it appears that a fair amount of work has gone into the preparation for the presentation tonight.

I think I would like to ask a question I have asked before and has been asked by others before from some presenters who have come forward with the suggestion that the Senate ought to be abolished or made extinct, as your brief suggests. If you do not agree with me that there are some regional imbalances that need to be addressed, then you do not need to answer my question.

I think that there are some, and have been for many years, regional imbalances which have favoured certain parts of our country over others, those certain parts being the centre of our country as opposed to the East and the West. If we do not use the instrument of the Senate and make that point by abolishing it, would you have anything else to suggest which might address regional imbalances, western alienation and those kinds of problems that we have?

Mr. Robson: You imply that the Senate being there might enable us to address some of these regional situations. -(interjection)- Well, you are speaking of a reformed Senate. I do not care how you get the Senate into place, but if you do not stipulate clearly what its job is, then it is a meaningless instrument. It just strikes me that we have not done that particularly well with respect to the Canadian Senate, and I think I alluded to the position of the Senate, if I can get my fingers on it quickly enough here. Which part was that on?

Mr. McCrae: I think it was early in your presentation. Yes, on the first page where you deal with it and make the suggestion that it should become extinct, I think. I took from that you meant just to abolish it.

Mr. Robson: Yes, I do.

Mr. McCrae: I agree with you when you make the point that it is not doing the job it was set up to do. As I understand, the job it was set up to do was to provide a regional balance in Parliament and to protect the interests of the regions, and I agree with you that is not happening. I wonder if straight abolition of the Senate helps or addresses the problem of the inequities that maybe you as a Westerner share with me in believing it exists.

Mr. Robson: Could I ask you a little question on that, Mr. McCrae? You suggest that the Senate could have some place in addressing the regional differences that you referred to. How is that in, what should I say, the terms of reference of the Senate itself? Is that spelled out in so many words there? I have never yet run across that specific direction to the Senate.

Mr. McCrae: I think we have basically two types of presenters here. There are those who favour some kind of reform of the Senate to do its job better and those who would abolish it altogether. Many of those who suggest a reform have brought forward the so-called Triple-E model, which provides for an elected Senate and a Senate that perhaps represents each region with an equal number of senators, each region or each province or some formula like that.

That is what I am getting at, I suppose. Have you thought about the Triple-E model that has been discussed, and what is your comment about that?

Mr. Robson: Yes, I have thought about that, and the part that angers me about that is, it does not address the terms of reference of the Senate itself. You know, you can dream up the most elaborate or the simplistic type of arrangement for putting people into a room to sit there and do something, but if you do not tell them what to do or give them terms of reference as to how to go about doing it, what use are they?

My contention is that the Senate, as far as the people of Canada are concerned and the sovereignty of the people of Canada is concerned and as far as the Senate's reference to any addressing of the regional imbalance is concerned, there is not anything there. That is one of the major reasons why it is useless to us. Until we, through some instrument, give them definite terms of reference that are beneficial to all of us as Canadians and address these regional disparities that we keep referring to, then I think the thing is a useless exercise. That is why I wish to see it disbanded.

Mr. McCrae: One more, Mr. Chairman, if I may?

What you seem to be saying is that if the Senate were given some power, and if it could operate in a democratic kind of a way, then it might serve a useful purpose.

Mr. Robson: It might, but as I said in this presentation here, I believe when the Fathers of Confederation of Canada allowed the inclusion of the Senate into the constitutional structure they were simply giving into the remnants of the family compact.

If you remember your Canadian history, the family compact at the time of the early days of Canada was that section of the public who had a great deal of economic power. They were the landowners mostly in those days.

Those people wanted some protection at that time from the device of the democratic power of the people. In other words, all of the Canadian Constitution, in my view, was a mechanism enabling us to be even more democratic as time went on and take more control over our countryside as a population through the democratic process, whereas the implanting of the Senate in there was a mechanism to make sure that we did not move very fast in that direction. It has been pretty effective.

Mr. McCrae: Thanks for your advice.

Mrs. Render: Mr. Robson, do you think that having just a House of Commons then will be an effective and efficient way of having all parts of Canada well represented?

Mr. Robson: You are thinking of the present structure of the House of Commons?

Mrs. Render: If we abolish the Senate, as you are suggesting, will one House be sufficient?

Mr. Robson: Well, I think in many, many cases that you can see around the world, Governments that have gone the democratic route have succeeded without needing a second House of second thought comparable to our Senate.

In addition to that though, I think there is a weakness in our system. I think maybe you are all aware of it. It came out perhaps most forcefully and most disastrously for us at the time of the last federal election, wherein—what is it?—55 percent of those who voted against the Government that got elected found the Government that got elected had 45—no the other way around—had 55 percent of the seats in the House. There was an imbalance in the representation of ideas, so we did have a Government which now has a majority that is so "wooden" in the sense that it refuses to even criticize its own Leader and allows that man to have dictatorial powers. That kind of thing to me was one of the major weaknesses of our democratic system.

I think our democracy, the kind that we have here, the elective system that we have in this country right now, has let us down as a nation, severely let us down. We have to go to what they call—I think it is proportional representation. Is that the right term?

Floor Comment: Yes, sir.

Mr. Robson: Yes, sir. I think that would help to address that particular situation that we are facing now. It would of course have meant that no Party would have had a majority. That is not necessarily a bad thing, because most of the good things that have come to us in this country have come when there has not been a complete majority in the House of Representatives at any particular time.

* (2040)

It is always that we have gotten these better things when the two sides had to sit down and go to work. The way it is now, the power structure in the majority can just thumb their noses at the minority. They can just ignore the rest of us, which is what they have been doing.

This present Government has been able, because

of its support from the business community—not just the Canadian business community, the world business community—to do as it liked.

In fact, while I have the platform, Mr. Chairman, I want to make special mention of the fact that international debt is what is really running the world economy right now. You have heard that the International Bank or the World Bank or both, I am not sure, has put upon nations who have tremendous debt what they call a strategic adjustment, but it is nothing but another way of changing their terms of their indebtedness. They spread their payments over a longer period of time, so they have to end up paying more money back, which is, to me, a form of theft, nothing else. It is a kind of legal theft because our system allows it. We bow down to the god of interest, and that is precisely where a major part of our problem is.

We elected a Government that was told by the international monetary community that we have too big a deficit in Canada, and we have to pay it back. Mr. Mulroney has decided that the GST is one of the ways of getting it out of us, because he has cut off the country by allowing a lot of our businesses to shut shop up, turn their employees out. They run away off to some other place where they can make the product cheaper and then bring it back and sell it to us.

He is going to pay that debt, and he is going to get it out of us. If he cannot get it out of those of us who are wealthy and have the power to pay the money, he is going to get it out of those of us who are less wealthy and hence the GST. These are the things that have been put onto us by electing a Government that has been able to snub its nose at the Opposition and ignore some of the real problems that can be addressed.

We do not have to put up with this kind of thing. We do not have to have an interest rate that is made elsewhere. We do not have to have an interest rate that is made surreptitiously.

Let me illustrate. Our Bank of Canada rate came down just the other day, but do you know who moved first? It was not the Bank of Canada. I think it was the Bank of Montreal who moved down ahead of the Bank of Canada. Who is running the show? The banks are in a position where they are competing with one another, we are told, but in reality it is not quite that way. In the business world, competition is a thing they hang on as if it is the god of occupation and the thing that will really make us efficient and so on.

It is not that at all; it is the very reverse. Those outfits that yell and holler and want competition and freedom of enterprise, those are the boys who do not have competition to worry about. They are in control. They are setting the price. They are setting these sorts of things on the rest of us, and we do not have to accept that.

That is why I am here protesting, and I am hoping you folks will give it a kind ear and think seriously on it because it is very important. It affects all of us. I do not care what our political position has been. When you are to borrow money, you pay somebody else's rate. You pay for a house over here that is exactly the same as one over there, identical homes. If the one is paid in cash, it may cost $100,000.00. If you have to spend 25 years of your life working to pay it off at those interest rates, you are going to pay three times for that same house. There is nothing morally sound about that.

That is the system we have acquired. We did not put it on ourselves; we have inherited the darn thing. If we want to do something about it, it is only us who are going to do it. There is nobody else out there who is going to do it. It has to be us. We have to realize that some of these things are put upon those of us who are in positions where we do not have much alternative and are forced to go to the money market and borrow money at the terms they are demanding. We are slaves to whom? To somebody else.

Is that your half hour?

Mr. Chairman: That is it, sir, yes. Thank you very much.

We will take a very short break, and I will ask my colleagues just to take five minutes please and be back to hear—is Mrs. Trip here yet? Is Mrs. Trip here?

Floor Comment: Not yet, sir.

Mr. Chairman: All right. Then it will be Ms. Westfall and Ms. McKay. Are they here?

Ms. Beth Westfall (Private Citizen): I am, but not Ms. McKay.

Mr. Chairman: Are we waiting—

Ms. Westfall: We are not the Bobbsey twins; we are two separate—

Mr. Chairman: Oh, I see, it is shown as a joint presentation here.

Ms. Westfall: That is a mistake.

Mr. Chairman: That is an error. Fine.

° (2050)

We will take a five-minute break then.

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The hearing took recess at 8:50 p.m.

After Recess

The hearing resumed at 8:55 p.m.

Mr. Chairman: Ms. Westfall.

Ms. Westfall: Good evening, Mr. Chairperson and Members of the task force. First of all I would like to apologize for this scribbled version that I hope you have in front of you. Do you?

Mr. Chairman: Very legible, no problem.

Ms. Westfall: It was a sort of a last-minute decision on my part to come before the task force, and my presentation is accordingly quite brief and handwritten.

In April of 1989, individuals and organizations from throughout Manitoba expressed their concerns about the proposed constitutional change. The priority issues as they were identified then by the people of Manitoba still stand. If I reiterate now what I said in 1989, it is because I am afraid that those issues might become obscured by political expediency and back-room deal making.

As we did in April 1989, Manitobans must affirm Quebec and French Canada as a valued and integral component of the national identity, with cultural and linguistic traditions that must be validated and protected under the Constitution. Particular care must be taken that, in affirming the rights of the Francophone majority in Quebec, we do not jeopardize the rights of our own Francophone minority, whose contribution to the evolution of Manitoba as a province was fundamental. Neither must the notion of English-French duality obscure the multicultural reality of Canada, which for centuries has been a haven for those seeking cultural freedom and expression.

Of paramount importance in any reflection of the multicultural diversity of Canada in the Constitution is the recognition that this country was not an empty wasteland until it was discovered by the Europeans. This land was the home of numerous sophisticated and flourishing nations with rich social and cultural traditions. The First Nations of Canada entered into treaties with the colonial powers as sovereign peoples. Any Constitution which ignores the reality of the First Nations' claim to aboriginal title and to distinct cultural identity would be a travesty and a treachery. The recognition of aboriginal rights must be a fundamental principle on which the Canadian Constitution is based.

From the deliberations surrounding the proposed Meech Lake amendments to the Constitution, it became clear that women's rights are fragile and vulnerable and that there exists the danger that group or community rights might jeopardize individual rights. The protection of gender equality must be a priority in any reform to the Canadian Constitution.

We tend as Canadians to be complacent about our civil liberties, but let us not forget that women were not considered legally to be persons until 1929. Manitoban women, with the exception of our Native sisters, were the first women in Canada to receive the vote, and that was only 75 years ago. The right to sexual equality was only entrenched in the Canadian Constitution after a persistent battle. Our sisters to the south do not enjoy the same protection. The rights enjoyed by women in Canada must never be taken for granted.

* (2100)

Any revision to the Canadian Constitution must address the issue of regional disparity. In particular, Canadians across the country must have equal access to adequate social programs. Since wealth and resources are not evenly distributed, equal access can only be guaranteed by a firm commitment from the federal Government to fund essential social services.

The decline in federal support of our health care and post-secondary education systems places a concept of a national social services system in jeopardy. The federal Government must not be permitted to continue its unilateral withdrawal from funding social services. Enough damage has been done by the Mulroney Government to regional services for us to see how vulnerable the quality of our lives is to arbitrary shifts in values on the part of Government. The Constitution must provide protection for regional Canada and guarantee commitment to the enhancement and maintenance of regional services.

Finally, on the issue which I feel is a red herring, a constitutional sop which was to be thrown at westerners during the Meech Lake trade-off, Senate reform. Canada does not need a reformed Senate. Canada does not need a Senate. If the House of Commons cannot provide fair, considered and representative Government, reform the House of

Commons. Abolish the Senate.

In closing, I would like to thank the task force for the opportunity to express my concerns. I was impressed and gratified by the thoughtful consideration given by the Meech Lake Task Force to all the views expressed by Manitobans. I am confident that this task force, with the same able chairperson, will perform its task as commendably.

Mr. Chairman: Thank you very much, Ms. Westfall. Any questions?

When you talk about the abolition of the Senate, is there an unspoken concern that there be some reform of the House of Commons that would be concomitant with the abolition of the Senate? Could you say a bit more about that?

Ms. Westfall: I think that the arguments that are being made here tonight for preserving or reforming the Senate suggest that there is a perceived need for some kind of constitutional reform which would permit representative Government for all the regions that would be a little more responsive. I would support some proportional representation and, in fact, the comments of the gentleman who spoke before me. I would agree wholeheartedly with his point of view.

Ms. Friesen: You are proposing to deal with the issue of regional disparity by entrenching in the Constitution some principles of equal access to adequate social programs, is what you say. Would you want to spell that out any further?

Ms. Westfall: In particular I am concerned that the federal Government is decreasing the amount that it contributes toward central social services. My particular interest is in post-secondary education which is drastically underfunded because transfer of payments are being cut. There are other problems there too in terms of underfunding by the provinces and diversion of funds that are supposed to go to post-secondary education. I would like to see a body of essential social services identified as national social programs and funded accordingly.

Ms. Friesen: Could you define for us what those national social services are? What things should we be looking at?

Ms. Westfall: Certainly health care, social security in terms of family allowances, pensions. Did I say health care earlier? Post-secondary education, unemployment insurance, the traditional sort of safety net of Canadian society. I do not think that should be variable according to what part of the country you are living in. I think it needs to be guaranteed at a minimum level by the federal Government.

Ms. Friesen: Thank you.

Mr. McCrae: With respect to education, health and social services, that if I understand you correctly, you would like to see maintained and enhanced and the maintenance of that being guaranteed in the Constitution. Now have I got you so far? Is that what you are putting forward?

Ms. Westfall: I think that Canadians need to be guaranteed through the Constitution access to a sufficient level of those kinds of basic social services. What I am talking about in terms of maintaining and enhancing is that the federal Government would be fiscally responsible for those programs.

Mr. McCrae: I take it the extension of that would be either keep on borrowing money to maintain those levels or reprioritize spending.

Ms. Westfall: Reprioritize spending. Yes.

Mr. McCrae: Thank you.

Mr. Carr: These are not the goals of Quebec, or at least not the goals that were articulated in the paper we saw this week. Quebec wants control over health care, post-secondary education. What are we going to do? How are we going to bridge that gap? How are we going to take these two competing visions of the country, one that demands a strong central Government and one that does not want a central Government at all and maintain a sense of national purpose, in your opinion?

Ms. Westfall: I think it is oversimplifying it to polarize it as Quebec and the rest of the world. I think we have heard similar views in terms of non-existent central Government expressed tonight. I think we hear it by Westerners. I think that the country is fairly evenly divided as to whether we should have a strong federal system or a decentralized system, and I think it has to be a process of discussion and negotiation. I like to believe that people are rational and that if a proper case is put forward, then they will be convinced by it. I suppose if any particular province is adamantly not convinced, there must be some real reasons for why they do not feel properly represented within the federal system, and we need to examine those reasons.

I think the aboriginal people would express probably similar concerns of a lack of faith in the federal system to protect their interests, and there are historical reasons for that that we should address.

Mr. Rose: I asked this question earlier in the day, and

I will ask it again. You are suggesting the number of social services that should be maintained federally. I wonder why we ignore primary and secondary education when we talk about those things. I do not think you have mentioned day care in your presentation, but it has been mentioned before as well as post-secondary education. Why do we leave that, just because that is the way it has always been, a provincial responsibility, and why do we leave those two very important parts of the education system in the provincial hands? Should that also become a federal responsibility?

Ms. Westfall: I think that is a fair question. I was talking about services that had traditionally had some level of federal support and was not examining all the possible services and programs that we should perhaps be adding to that list.

We were promised a national system of day care. I think we are still waiting. It did not compare with the system that we used to have in Manitoba. Yes, certainly I think that the education system from womb to tomb needs to have a guaranteed level of funding and maybe that should become a federal responsibility.

Mr. Rose: I appreciate those comments, but I think partly what we are doing in this process is brainstorming, if you like, seeking for different approaches and different solutions. We talk so much about the responsibilities coming the other way, from federally to provincially, but nobody ever seems to be examining the possibility of some of the provincial responsibilities that we have had becoming federal responsibilities and establishing the same level of service, if you like, across the country. I just wonder if there are others as well as education that we should be looking at as well.

Mr. Chairman: Thanks very much, Ms. Westfall. Lorraine McKay? Not here? Do you know whether she is coming, Ms. Westfall? Sorry, you probably do not know. Thank you. Terry Drul. Good evening, sir.

Mr. Terry Drul (Private Citizen): Good evening, Mr. Chairman, ladies and gentlemen of the task force. I know you have had a long day, so I am just going to make a brief presentation.

My main concern continues to be that Quebec continues to set the constitutional agenda in this country. The resentment in western Canada is because politicians in this country refuse to recognize that regions in this country must be treated equally. One region, Quebec, cannot dominate and demand changes only for itself.

Constitutional change must be nation building and must include the demands of western Canadians as well. Quebec is now saying we as Canadians must accept the changes it demands for additional powers and, if we do not make these changes in the next two years, they will hold a referendum on sovereignty. Various groups in Quebec are calling for an immediate referendum and at the same time are calling for economic association with the rest of the country.

The UPA, the agricultural producers of Quebec, are demanding a referendum on Quebec's future and are at the same time saying that they want to participate in Canada's national supply management marketing boards. This is completely unacceptable.

* (2110)

Quebec cannot continue holding a gun to Canadians, demanding more power and yet at the same time participate fully and receive the economic benefits of Canada. We in Manitoba and our provincial Government must stand firm and say no to any more demands from Quebec. Constitutional change in this country must be done in a balanced and reasonable atmosphere without deadlines and done recognizing all the needs and demands of every region of the country.

Quebec cannot continue holding a gun to our heads. It is just another province of the country and should not receive any further exclusive powers. Quebec cannot continue to demand concessions and at the same time reject the responsibilities and commitments of being part of this country. You cannot have it both ways.

Our politicians must get this message. Thank you.

Mr. Chairman: Thank you, sir. Any questions? Thanks again. Good evening.

Ms. Trip? We are just waiting for copies of your presentation, Ms. Trip. I will call you in just a moment.

Is there anyone else to be heard who is not on the list?

We will just be a moment till we get the necessary copies of your presentation, Ms. Trip.

While we are waiting, ladies and gentlemen, could I remind you that we would be delighted to receive any written submissions. Anyone who has not presented and would like to send us something in writing, the address is inside the pamphlet, and I can assure you if you send us something we will read it.

so please feel most welcome to do that. Ms. Trip, I think we—yes, we do have the copy of your presentation. Good evening.

Ms. Gwen Trip (Private Citizen): People right now do not have much energy to devote to matters of law because everyone is absorbed by economic woes and grief over the war in the Gulf. There are wounds that must heal before we try to be very creative in designing a Constitution for our country, so I hope this process will be rather slow.

The Allaire report recently announced from Quebec has suggestions for a much looser federation of provinces, a different legislative arrangement, and this would not suit western Canadians however. There will be a price to pay for a tenuous provincial-federal relationship and the price will be a serious lack of unity on some really important points.

Here is a list of five areas where the Canadian nation will lose ground if we opt for such a course.

The social safety net: Federal programs will be undermined by the opting out of wealthy provinces.

Environmental concerns: Federal responsibilities include keeping a watchful eye over environmental selfishness rampant in the provinces.

Foreign policy: Our voice on international issues will become weaker than ever, and

Trade: We need centralized marketing here.

Immigration and refugee policy: Welcoming newcomers has been a tradition and has led to a strong and tolerant social fabric in Canada.

Therefore any constitutional change should seek to establish and maintain a strong east-west link for Canada, bucking the present north-south trend. Policies such as the reduction of service to the public in the areas of Via Rail, rural post offices, CBC and the deregulation of airlines do seem to enhance the north-south trend at present. Let us design a Constitution that strengthens the east-west links. Let us keep important federal spending programs to ensure a universally high standard of health care and a decent basic living standard. We know that increased poverty equals increased crime.

Let us keep the Nansen medal untarnished by having compassionate and clear federal policies on immigration and the acceptance of refugees into our country. These people will revitalize us economically and culturally. Domestically let us respect minority rights and deal squarely with the problems of diversity such as aboriginal land claims and equal rights for all.

Constitutional change should encourage and promote new provinces in the North. Northern voters have concerns that are similar to those of prairie voters, e.g. the maintenance of rural services and the protection of natural resources.

The voice of the prairie provinces in federal matters could be strengthened in this way. Any move toward committee Government should be avoided. An annual meeting of First Ministers behind closed doors restyling the Constitution would have been a mistake.

We should also be aware that funding for covert operations under the banner of national security can result in the shadow Government situation that has plagued the United States. The U.S. is now working on constitutional change and increasing the power of the President to work independently of Congress.

I feel that we in Canada must not travel this path. Canadians are tired of arguments and conflicts, but we cannot afford to be passive about great legislative change. While we are napping, someone may step in and make unwelcome decisions for us.

Mr. Chairman: Thank you. Any questions? Thanks very much, Ms. Trip.

Ladies and gentlemen, that completes our evening hearing in Brandon and indeed our three hearings of this day. On behalf of my colleagues, I would like to thank you most sincerely for coming out, for making your presentations. It has been an interesting evening for us. We have learned, and I assure you that what we have learned will be taken into consideration in our deliberations.

I wish you a good evening, and wish us good luck. We will need it as we go from here up north and then next week to Winnipeg and try to put all of these presentations together in some coherent form. Thanks again.

HEARING ADJOURNED AT: 9:20 p.m.